



Planning & Community Development Department

STAFF REPORT TO THE HEARING EXAMINER

File # P-07-0001

HEARING DATE: Wednesday, July 25, 2007 @ 2:00 p.m.

PROJECT COORDINATOR: Amanda Tainio, Senior Planner

PROJECT: Liberty View Villas Preliminary Plat

PROJECT DESCRIPTION: Subdivision to create 49 single family lots in the R-1 Zone, 2 open space tracts in the O Zone, & 2 tracts for the private street system serving the project.

DESCRIPTION OF THE SITE: The subject site is primarily a hillside with 15% - 50% slopes, 23.10 acres in size, which is undeveloped, and is located west of Liberty Lake Rd. and Settler Drive. The subject site is proposed to be accessed by Liberty Lake Rd. which was built as a rural arterial with no curbs or sidewalks; however the Outlet Channel Trail runs along the eastern side of Liberty Lake Rd. and provides connection to the Liberty Lake Trail System. Liberty Lake Rd. is designated as a Minor Arterial from Sprague Ave. to Appleway Ave. No modifications have been made to the street since inclusion in the City's Urban Street Designation System. Surrounding uses include single family homes and condominiums, a golf course, a trail system, and undeveloped land. The subject site is adjacent to the southern City of Liberty Lake boundary.

PROJECT DATA:

Project Location	W. of Liberty Lake Rd. & Settler Drive
Parcel Number(s)	55226.9035
Applicant	Flophouse LLC (Brian Main) / Storhaug Engineering (John Konen)
Comprehensive Plan Designation	Single Family Residential along the western portion of the site (10.29 acres) and Open Space/ Recreation along the eastern portion of the site (12.81 acres)
Existing Zoning	R-1 (10.29 acres) & O (12.81 acres)
Existing Land Use	Vacant
Surrounding Zoning & Land Uses	
North	The land north of the subject site is zoned R-1 (Single Family Residential) with a strip of O (Open Space/ Recreation) along the eastern edge and the land is being used for single family homes and open space within the Legacy Ridge PUD.

South	The land south of the subject site is outside the Liberty Lake City limits, within unincorporated Spokane County. The existing zoning is Rural Traditional with a condominium development and vacant land. An existing LLSWD water tank is also south of the subject site and an easement through the site will provide access to the tank.
East	The land east of the subject site, north of Sprague Ave., is zoned R-1 (Single Family Residential) with a strip of O (Open Space/ Recreation) along the western and northern edges and the land is being used for single family homes, a trail system, and a golf course. The land east of the subject site, south of Sprague Ave., is outside the Liberty Lake City limits, within unincorporated Spokane County. The existing zoning is Rural Traditional with vacant land, a trail system, condominiums / multi-family, & single family homes.
West	The land west of the subject site is zoned R-1 (Single Family Residential) and the land is being used for single family homes within the Legacy Ridge PUD.
Recent Land Use Proposals and Project Approvals within the Vicinity of the Project	The land west and north of the subject site is contained within the current Legacy Ridge PUD. The land southeast of the subject site is contained within the Liberty Lake Estates PUD. The land east of the subject site, across Liberty Lake Rd. is contained within the Liberty Lake Heights and Homestead The Gardens developments.
Land Division Status	The subject site consists of one Tax Parcel of Record
Water Purveyor	Public water is to be provided by the Liberty Lake Sewer & Water District
Sewer Purveyor	Public sewer is to be served by the Liberty Lake Sewer & Water District
Fire District #	Spokane County Fire District #1
School district	Central Valley School District
Nearest Arterial & Distance	The subject site is located west of and adjacent to Liberty Lake Rd. which is designated as a Minor Arterial from Sprague Ave. to Appleway Ave.
Nearest Parks & Distance	Pavillion Park is approximately 1 mile away from the subject site and Little Bear Park is approximately a ½ mile away from the subject site. The Outlet Channel Trail, that connects to the Liberty Lake Trail System, runs along Liberty Lake Rd. Trailhead Golf Course is located northeast of the subject site

Neighborhood Association	A homeowner's association is proposed
Other Information	The subject site was previously zoned SR-1 prior to City incorporation, a pre-GMA designation which allowed 23 single family homes. In 2003, with the adoption of the City Comprehensive Plan, the land use designations were changed to Single Family Residential and Open Space/ Recreation. The designations on the subject site were split to identify the steep hillside along the eastern portion of the site as Open Space/ Recreation. The subject site zoning was changed in December 2005 to R-1 (Single Family Residential) and O (Open Space/ Recreation) when the City Development Code and Zoning Map were adopted to implement the City Comprehensive Plan.

GMA / CRITICAL AREAS:

Aquifer Recharge Area	The subject site is located within the Aquifer Sensitive Area (ASA). Based on the City's 2006 Aquifer Susceptibility Map, the entire City is located in a Critical Aquifer Recharge Area.
Fish & Wildlife Habitat Conservation Areas	The subject site is not located within a Fish & Wildlife Habitat Conservation Area based on the City's 2006 Priority Habitats Map.
Floodplain	The subject site is not located within a designated floodplain based on the City's 2006 Flood Hazards Map
Geologically Hazardous Areas	The subject site contains slopes between 15% & 50%, with the steepest slopes located within the O (Open Space/ Recreation) zone. The site is identified on the City's 2006 Geologic Hazards & Constraints Map as having erodible soils.
Natural Resource Lands & Historic Sites	The subject site does not contain any natural resource lands or historic sites based on the City's 2006 Natural Resource Lands & Historic Sites Map.
Watershed	The subject site is not contained within a watershed based on the City's 2006 Liberty Lake Watershed Map.
Wetlands	The subject site contains a DNR stream running E-W across the northern portion of the site based on the City's 2006 Wetlands Map. A previous site visit by City staff confirmed the presence of an intermittent stream consistent with the Budinger report; however the investigation by Larry Dawes of Biology, Soil, and Water Inc. concluded that there were "no jurisdictional wetlands or jurisdictional streams on the subject property." From the previous P-06-0001 Liberty Lake

	View Estates proposal, the City's Hearing Examiner found that "the intermittent stream issue is not an issue and not an impairment to the development of the site."
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SEPA: The Optional DNS process was used for the Liberty View Villas Preliminary Plat proposal and the SEPA Checklist was circulated and available to the public during the Notice of Application comment period from June 5, 2007 - June 19, 2007. A Mitigated Determination of Nonsignificance (MDNS) was issued on July 10, 2007 and was circulated and available to the public with the Notice of Public Hearing.

MITIGATING MEASURES:

1. Participation in the Harvard Rd. Mitigation Plan and any other impact fees, such as that for schools, parks, etc., approved by the City Council, consistent with the City of Liberty Lake's Comprehensive Plan, shall be paid upon issuance of building permits for this project.
2. Prior to final plat submittal, the applicant shall supply a traffic analysis for Liberty Lake Rd. to demonstrate adequate sight distance availability at the proposed intersection of Liberty Lake Rd. and "Liberty View Lane." Off-site improvements may be required by the City of Liberty Lake to mitigate traffic problems and increase pedestrian circulation.
3. The final plat shall comply with the City Development Code Chapter 6, Environment, specifically as related to critical areas and any form of potential disturbance to critical areas shall be reviewed and mitigated as required by Chapter 6.
4. Development of the site shall comply with the City Development Code Section 10-3C-2, Landscape Conservation. Mapping of trees within right-of-way and critical areas shall be required at time of final plat civil plan submittals.
5. A Temporary Erosion and Sedimentation Control (TESC) plan is to be prepared by a WA State licensed Professional Engineer and implemented throughout the duration of construction. The TESC plan is to be prepared using best management practices (BMP's) currently accepted within the Civil Engineering profession. The TESC plan is to include, as a minimum, a grading plan, location, and details of silt control structures (such as silt ponds, silt traps) are to be installed prior to other site work and the TESC measures are to be implemented and maintained throughout the duration of construction, including house construction.
6. Geotechnical exploration and analysis to address slope stability, specifically with the design of slopes, walls, streets, utilities, structures, and earthwork shall be conducted prior to preparation of the civil plans for the final plat. Copies of the final geotechnical engineering evaluations / studies shall be submitted with the civil plans for the final plat.
7. Development of the site shall comply with the City Development Code Article 10-3H, the Stormwater Management Manual for Eastern WA.
8. A Stormwater Pollution Prevention Plan for the project site may be required and should be developed by a qualified person(s). Erosion and sediment control measures in the plan must be implemented prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil can damage

aquatic habitat and are considered pollutants. The plan must be upgraded as necessary during the construction period.

9. The operator of a construction site which disturbs one acre or more of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under Department of Ecology's Baseline General Permit for Stormwater Discharges Associated with Construction Activities.
10. Compliance with the Washington State Department of Ecology Water Quality and Solid Waste Program requirements shall be required.
11. All new dry wells and other injection wells must be registered with the Underground Injection Control program (UIC) at Department of Ecology prior to use and the discharge from the wells must comply with the ground water quality requirement (nonendangerment standard) at the top of the ground water table.
12. The requirements for Spokane Clean Air (formerly SCAPCA) shall be met at the time of project construction.
13. Additional comments for this project are included within the proposed Conditions of Approval for the project.

PROJECT PERMIT TIMELINE & NOTICES:

	Date	Notice
Pre-Application Conference	3/6/07	Notice emailed to agencies on 2/23/07
Application Submitted	5/2/07	
Determination of Completeness	5/16/07 Incomplete, 5/25/07 Complete	
Notice of Application	Issued: 6/5/07 Comment Deadline: 4pm, 6/19/07	Notice published in the 6/7/07 edition of the Liberty Lake Splash (the official City newspaper) Notice mailed to property owners within 400' radius & agencies on 6/5/07 Notice emailed to public notice group on 6/5/07 Notice posted on City website on 6/5/07 Affidavit of Sign Posting received on 6/5/07, sign posting verified on 6/6/07
Technical Review Meeting	6/29/07	Notice emailed to agencies on 6/20/07
Notice of Public Hearing	Issued: 7/10/07 Hearing to be held on 7/25/07 at 2:00 p.m.	Notice published in the 7/12/07 edition of the Liberty Lake Splash (the official City newspaper) Notices mailed to property owners within 400' radius, agencies, & members of the public that have submitted project comments on 7/10/07 Notice emailed to public notice group on 7/10/07 Notice posted on City website on 7/10/07 Affidavit of Sign Posting due on 7/11/07, sign posting verified on 7/11/07

REVIEWING AGENCIES: Agency comment letters are attached to staff report.

Agencies Notified	Notification	Response Received	Comment Summary
Liberty Lake Police Dept.	Pre-Application Conference Technical Review Meeting Notice		No written comments received as of July 9, 2007
City Engineer	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing	Pre-Application Review 2/28/07 & 6/26/07	<ul style="list-style-type: none"> • Feasibility concerns due to terrain • School bus staging area, pedestrian connectivity and crossings, Liberty Lake Rd. drainage facilities, and a potential turn lane on Liberty Lake Rd. need to be considered
Liberty Lake Sewer District	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing	5/25/07 Letter submitted with application	<ul style="list-style-type: none"> • Water & sewer are available for development on a first come first served basis • Due to the elevation of the plat, a water booster station will be required for the proposed lots • Due to the number of lots, storage for fire flow, peaking, & emergency conditions will be required
Fire District #1	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing	Pre-Application Review & 7/3/07	<ul style="list-style-type: none"> • Fire department access concerns • Need unique street names
WSDOT - Spokane	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing		No written comments received as of July 9, 2007
Spokane Clean Air (formerly SCAPCA)	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing	2/27/07 & 6/8/07	<ul style="list-style-type: none"> • Construction & notice requirements

Avista Utilities	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing	3/7/07 & 6/13/07	<ul style="list-style-type: none"> Easements
Qwest	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing		No written comments received as of July 9, 2007
Community Cable	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing		No written comments received as of July 9, 2007
Central Valley School District	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing		No written comments received as of July 9, 2007
WA State Dept. of Fish & Wildlife	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing		No written comments received as of July 9, 2007
Spectrum Fiber Network	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing		No written comments received as of July 9, 2007

Dept. of Ecology - Olympia	Notice of Application Notice of Hearing		No written comments received as of July 9, 2007
Dept. of Ecology - Spokane	Notice of Application Technical Review Meeting Notice Notice of Hearing	6/19/07	<ul style="list-style-type: none"> • Solid waste program
Spokane County Building & Planning	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing		No written comments received as of July 9, 2007
Spokane County Engineering & Roads	Pre-Application Conference Notice of Application Technical Review Meeting Notice Notice of Hearing		No written comments received as of July 9, 2007

PUBLIC COMMENTS: The following are the written public comments received as of July 9, 2007 and the comment letters are attached to staff report.

Name & Address	Response Received	Comment Summary
Blackrock Development Marshall R. Chesrown, CEO PO Box 3070 Couer d'Alene, ID 83816	6/12/07 by fax	<ul style="list-style-type: none"> • Concerned about design, density, lot size, visibility of site, & lower end housing • Question access from Liberty Lake Rd. • Recommend a better planned transition in the design to enhance overall aesthetics, low end housing next to high end housing is not appropriate master plan
Margaret Keeve 22821 E. Clearwater Ln. Liberty Lake, WA 99019	6/18/07	<ul style="list-style-type: none"> • Opposes project • Concerned about potential for erosion • Concerned about loss of wildlife corridor, walking trails, suitability for habitat study, bird watching, & picnicking • Concerned about blasting
Chris & Stefanie Wilcox Email: sunshiners@ccser.com	6/18/07 by email	<ul style="list-style-type: none"> • Opposes project

Debra Stewart 1604 S. Lilac Ln. Liberty Lake, WA 99019 Email: debrawebbstewart@ hotmail.com	6/18/07 by email	<ul style="list-style-type: none"> • Opposes project • Concerned about unsafe intersection at Liberty Lake Dr. • Concerned about school capacity • Concerned about wildlife and loss of natural beauty
Alison Ashlock & Kottayam V. Natarajan Jr. 1525 S. Lilac Ln. Liberty Lake, WA 99019 Email: alisonashlock@hotmail.com	6/18/07 by email / 6/19/07	<ul style="list-style-type: none"> • Concerned about development of critical area
Tom & Steph Agnew 1220 S. Starr Liberty Lake, WA 99019 Email: Tom@AgnewConsulting.com	6/18/07 by email	<ul style="list-style-type: none"> • Concerned about elimination of a critical natural open space corridor that occupies a steep, unstable drainage that is a portion of the few undisturbed watershed areas in the vicinity • Wants land preserved
James & Helen Swan 22818 E. Clearwater Ln. Liberty Lake, WA 99019 Email: Helen_s7@webband.com	6/18/07 by email	<ul style="list-style-type: none"> • Opposes project • Wants land preserved for wildlife • Concerned about Liberty Lake Rd. conditions
Dean & Darlene Oakes 1528 S. Lilac Ln. Liberty Lake, WA 99019 Email: deanoakes@ccser.com	6/18/07 by email	<ul style="list-style-type: none"> • Concerned about environmentally sensitive site, wildlife habitat & erosion • Concerned about shortage of sewer & water capacity • Concerned about school capacity
Pat Richardson 509-922-7331 Email: lacamoola2@sisna.com	6/18/07 by email	<ul style="list-style-type: none"> • Opposes project • Concerned about steep hillside, lack of green space, & effects on wildlife
Tom Markson 603 Shoreline Dr. Liberty Lake, WA 99019 255-6804, 953-8473 Email: tommarkson@yahoo.com	6/18/07 by email	<ul style="list-style-type: none"> • Opposes project
Karen Johnson Email: garyj@ccser.com	6/18/07 by email	<ul style="list-style-type: none"> • Opposes project
Jennifer Johnson 1417 S. Lilac Ln. Liberty Lake, WA 99019 255-9665 Email: pjj@ccser.com	6/18/07 by email	<ul style="list-style-type: none"> • Opposes project • Concerned about loss of historic corridor
Shawn Chalich Email: schalich@hotmail.com	6/19/07 by email	<ul style="list-style-type: none"> • Opposes project • Concerned about lack of sufficient infrastructure and loss of natural area • Concerned about school overcrowding

Carol Markson 802 S. Liberty Drive Liberty Lake, WA 99019 509-255-1129 Email: kaisagirl@msn.com	6/19/07 by email	<ul style="list-style-type: none"> • Opposes project
Chris & Bob Ouellette 22805 E. Settler Drive Liberty Lake, WA 99019 Susan Meyer 22801 E. Settler Drive Liberty Lake, WA 99019	6/19/07	<ul style="list-style-type: none"> • Opposes project • Concerned about traffic safety, congestion, & noise on Liberty Lake Rd. • Concerned about green space & excessive excavation
Karen & Art Toreson 1513 Lilac Ln. Liberty Lake, WA 99019	6/19/07	<ul style="list-style-type: none"> • Opposes project • Wants to preserve the natural open space, corridor, & wildlife habitat • Concerned about stormwater affecting the watershed and critical area
Kara Ames 932 S. Windsong Dr. Liberty Lake, WA 99019	6/19/07	<ul style="list-style-type: none"> • Concerned about natural space, parks, schools, and roads • Wants growth and development managed thoughtfully
Mr. & Mrs. Gary Wraspir 215 N Kelsea Court Liberty Lake, WA 99019 Email: wraspircpa@gmail.com	6/19/07 by email	<ul style="list-style-type: none"> • Opposes project
Bette McGlynn 608 S. Shoreline Dr. Liberty Lake, WA 99019	6/19/07	<ul style="list-style-type: none"> • Concerned about critical open space • Concerned about Liberty Lake Rd. access
Sharon Carlson 1022 S. Liberty Drive Liberty Lake, WA 99019 Email: Carlson@coffman.com	6/19/07 by email	<ul style="list-style-type: none"> • Concerned about preserving open space • Does not support any zone changes • Concerned about level of service standards on Liberty Lake Drive & infrastructure • Concerned about schools • Opposes any requests to re-zone plots of land that will increase the residential density within the Liberty Lake watershed
Sheila Bell N. 1017 Tanglewood Ln. Liberty Lake, WA 99019 Email: gamehen@ccser.com	6/19/07 by email	<ul style="list-style-type: none"> • Concerned about access & egress on Liberty Lake Rd. • Does not want anymore blasting or LLSWD reservoir • Wants to preserve as many trees as possible if project goes through
Keva Monson PO Box 116 Liberty Lake, WA 99019	6/19/07	<ul style="list-style-type: none"> • Wants property to be preserved as open space
William & Arlene Thomas 22806 E. Settler Dr. Liberty Lake, WA 99019 Email: rathomas70@juno.com	6/19/07 by email	<ul style="list-style-type: none"> • Opposes project • Concerned about traffic, crowding schools, raising taxes • Wants hillside left alone

Don Reese 1507 Lilac Ln. Liberty Lake, WA 99019 Email: dree31@aol.com	6/19/07 by email	<ul style="list-style-type: none"> • Wants property retained as green space
Heather Chalich 23305 E. Maxwell Ave. Liberty Lake, WA 99019 Email: chalharp@msn.com	6/19/07 by email	<ul style="list-style-type: none"> • Opposes project • Concerned about Liberty Lake Rd. traffic, wildlife corridor, wetlands, and schools
Sam & Sharon Kinard Email: samkinard@ccser.com	6/26/07 by email	<ul style="list-style-type: none"> • Opposes project • Wants land preserved as open space, not for urban development
Gene & Gail Melanson 22805 E. Clearwater Ln. Liberty Lake, WA 99019	7/3/07 by mail	<ul style="list-style-type: none"> • Opposes project

STAFF ANALYSIS:

Comprehensive Plan

The subject property is located within the Single Family Residential land use designation along the western portion of the site and the Open Space/ Recreation land use designation along the eastern portion of the site.

The Single-Family designation provides for single-family homes in support of established residential neighborhoods. This designation is the primary residential designation in the City.

The Open Space and Recreation designation provides for open area spaces and recreational uses such as public/ private parks, preserves, and trails, as well as public and privately owned facilities such as golf courses. Local and regional recreation opportunities are included within this designation. The designation promotes the conservation of public and private sensitive or critical natural resource areas and areas of local interest as open space.

The following Goals and Policies from the City's adopted Comprehensive Plan are applicable to this proposal:

GOAL LU.2: Maintain and enhance the quality of life in the City of Liberty Lake through urban design standards.

POLICY LU.2.2: The design of development proposals should accommodate and complement environmental features and conditions, and preserve and protect significant cultural resources.

POLICY LU.2.8: Encourage developers to work with neighborhoods to develop plans that address neighborhood concerns, such as environmental protection, aesthetics, quality of life, property values, and preservation of open space. (see H.1.2)

POLICY LU.2.11: Ensure linkage of developments with open space, parks, natural areas, and street connections.

POLICY LU.2.12: Enhance and preserve the site characteristics of residential development (existing trees, watercourses, historic features, and similar assets) through sensitive site planning tools such as clustering, lot averaging, transfer of development rights, and flexible setback requirements.

POLICY LU.2.14: Separated sidewalks shall be required on public roads in all new residential subdivisions.

POLICY LU.2.15: Require the planting of curbside trees. Identify those species of trees that are most appropriate for curbside plantings, considering safety, soils, aesthetics, and compatibility with infrastructure.

POLICY LU.2.20: Encourage new developments, including multifamily projects, to be arranged in a pattern of connecting streets and blocks to allow people to get around easily by foot, bicycle, bus or car. Cul-de-sacs or other closed street systems may be appropriate under certain circumstances including, but not limited to, topography and other physical limitations which make connecting systems impractical.

POLICY LU.2.21: When cul-de-sacs are used, combine them with connected streets and focal points such as traffic circles, parks, or a neighborhood business to provide for ease of circulation and to promote a sense of an integrated community.

GOAL LU.5: Provide for an aesthetically pleasing urban environment and encourage the maintenance and enhancement of natural and cultural views.

POLICY LU.5.2: Designate aesthetic corridors and boulevards along major transportation routes to provide a positive image of the area (see Aesthetic Corridors and Boulevards on page 37).

POLICY LU.5.3: Encourage preservation of healthy and attractive native vegetation where appropriate during land development. When this is not possible, encourage the use of appropriate native plant materials in the site's landscaping.

POLICY LU.5.6: Direct placement of telecommunication, cable television lines, and other utility facilities underground, at the rear of properties, or in alleyways and require undergrounding of all newly installed or extensively modified utilities under 13kV to protect viewsheds and corridors.

GOAL LU.7: Guide efficient development patterns by locating residential development in areas where facilities and services can be provided in a cost-effective and timely fashion.

POLICY LU.7.5: Develop regulations and incentives to encourage clustered housing on residential lands so open space, views, watersheds, and critical areas are permanently protected.

POLICY LU.7.6: Phasing of land development shall be consistent with established levels of service for the provision of public facilities and services within UGAs.

POLICY LU.7.7: Establish or maintain zoning and subdivision regulations that require residential developments to provide the following improvements:

- a. Paved streets (and alleys if appropriate), curbs and sidewalks, paths and internal walkways, when appropriate;

- b. Adequate parking consistent with local transit levels;
- c. Street lighting;
- d. Street trees;
- e. Storm water control;
- f. Public water supply;
- g. Public sewers.

POLICY LU.7.8: New development shall be connected to public sewer, consistent with requirements for concurrency. Developer-financed extensions of public sewer may be allowed, provided capacity and infrastructure needs are adequately addressed.

POLICY LU.7.14: Incorporate public safety considerations into land use decisions.

POLICY LU.7.15: Limit growth to areas served by a fire protection district and that have or will have adequate road access and water supply for fire protection.

GOAL LU.10: Create urban areas with a variety of housing types and prices, including manufactured home parks, multi-family development, townhouses, condominiums, and single-family development.

POLICY LU.10.3: Develop regulations guiding appearance, scale, and location of new development to enable a range of dwelling types and amenities.

GOAL LU.12: Create a variety of residential densities with an emphasis on compact mixed-use development in designated centers and corridors.

POLICY LU.12.2: The City of Liberty Lake shall achieve a minimum residential density in new development of at least 4 dwelling units per net acre through a mix of densities and housing types.

GOAL LU 21: Plan for parks, open space, trails, and recreational activities for the citizens of the City of Liberty Lake.

POLICY LU 21.5: Link parks planning with transportation corridor (streetscape, trail, and gateway) planning to create a network of active and passive greenspaces.

GOAL LU.22: Designate aesthetic corridors and boulevards along major transportation routes to provide a positive image of the area.

POLICY LU.22.2: Aesthetic corridors shall be visible from the roadway and shall not exceed 500 feet on either side of the road right-of-way.

POLICY LU.22.3: Designate the following routes as boulevards with pathways and landscaped center medians or other aesthetically pleasing landscaping or features:

- a. Molter Rd.
- b. Liberty Lake Rd.
- c. Mission Ave.
- d. Sprague Ave.

POLICY LU.22.5: Adopt specific regulations for designated aesthetic corridors and boulevards that:

- a. Provide incentives for aesthetic design;
- b. Require landscaping buffers adjacent to roadways;
- c. Limit sign height and size;

- d. Provide performance standards to adequately screen heavy or “manufacturing” industrial-type developments that have exterior clutter (exterior storage, exterior heavy equipment, exterior fabrication/assembly);
- e. Use non-glare, energy efficient lighting techniques when possible.

GOAL D.1a: Citywide design and development that promote and support a well-integrated residential community, provide a heightened sense of livable community, and present opportunity for public gathering.

GOAL D.1b: Community design, architecture, and landscaping that enhance and are compatible with the City’s setting and natural scenic resources.

POLICY D.1.1: Public and private sector development shall be subject to citywide design guidelines which are intended to protect the community’s scenic views, provide community cohesion, and enhance the community image of Liberty Lake.

POLICY D.1.2: The City shall support the positive, unique characteristics of existing residential neighborhoods and require that new neighborhoods be designed to provide distinctive, identifiable design elements.

POLICY D.1.4: Support the development of distinct, identifiable street corridors and boulevards.

POLICY D.1.5: Areas of special interest, including entry points, landmarks, and scenic views, shall receive appropriate treatment whether part of public or private development proposals.

POLICY D.1.6: Native landscape materials and site-sensitive architectural designs shall be incorporated into all public and private building projects to enhance the cohesion between the natural and built environments.

POLICY D.1.9: Neighborhoods shall establish a well-defined edge or boundary, consisting of landscaping, green belts, open space, and/or entry monumentation, in appropriate locations to help create a unique community image and sense of place.

POLICY D.1.14: Direct placement of telecommunication, cable television lines, and other utility facilities underground, at the rear of properties, or in alleyways and require undergrounding of all newly installed or extensively modified utilities, 13kV or under, to protect viewsheds and corridors. (see LU.5.6 & U.5.1)

GOAL T.2: Provide transportation system improvements concurrent with new development and consistent with adopted land use and transportation plans.

POLICY T.2.2: Transportation improvements needed to serve new development shall be in place at the time new development impacts occur. If this is not feasible, then a financial commitment, consistent with the capital facilities plan, shall be made to complete the improvement within six years.

POLICY T.2.3: Transportation improvements shall be consistent with land use plans, capital funding, and other planning elements.

POLICY T.2.4: Implement concurrency review and management that evaluates impacts from new development and identifies funding sources for improvements. Evaluate the transportation system annually and compare to prior years.

POLICY T.2.5: Coordinate planning with appropriate agencies and utility companies for utility corridors that may affect the transportation system.

GOAL T.6: Promote pedestrian and bicycle transportation and increase safety, mobility, and convenience for non-motorized modes of travel.

POLICY T.6.1: Provide safe and convenient bicycle and walking access between housing, recreation, shopping, schools, community facilities, and mass transit access points. Obstructions and conflicts with pedestrian and bicycle movement should be minimized.

POLICY T.6.2: Design bicycle facilities where practical along arterials. Public bicycle/pedestrian facilities should be clearly marked.

POLICY T.6.3: Maintain a trails system plan that is implemented through the City's Transportation Improvement Program and that uses the Liberty Lake Trail System Plan for path improvement priority.

POLICY T.6.4: Promote hard surface walkway systems that are separate from roads if they fit in with the characteristics of the neighborhood.

POLICY T.6.8: Continue to develop street, pedestrian path, and bike path standards that contribute to a system of fully connected routes. If streets do not connect, continue trails to make connections for pedestrians and bikes.

GOAL T.8: Ensure that urban roadway systems are designed to preserve and be consistent with community character.

POLICY T.8.1: Utilize best available engineering practices to ensure a safe and efficient roadway system.

POLICY T.8.2: Optimize the capacity of existing roads to minimize the need for new or expanded roads through the use of improved signage, signalization, road maintenance, and other means.

POLICY T.8.4: Discourage private roads as a principal means of access to developments. Allow private roads within developments as a principal means of circulation, provided adequate measures are in place to assure safe travel, emergency access, and permanent private maintenance.

POLICY T.8.6: Transportation facility design standards shall support the creation and preservation of communities and neighborhoods while simultaneously providing for the safe and efficient movement of people and goods.

POLICY T.8.8: Design of new transportation facilities or facility improvements should incorporate adequate consideration of the aesthetic issues associated with a proposed transportation improvement.

POLICY T.8.9: Encourage curbside landscaping consistent with safety requirements. Identify those species of landscaping that are most appropriate for curbside planting.

POLICY T.8.10: Adequate access to and circulation within all developments shall be maintained for emergency service and public transportation vehicles.

POLICY T.8.12: Encourage street designs, which reduce the number of access points on minor arterials and major collectors by combining driveways for adjacent properties and use of frontage roads.

POLICY T.8.13: Encourage new developments, including multifamily projects, to be arranged in a pattern of connecting streets and blocks to allow people to get around easily by foot, bicycle, bus, or car. Cul-de-sacs or other closed street systems may be appropriate under certain circumstances including, but not limited to, topography and other physical limitations which make connecting systems impractical.

POLICY T.8.14: When cul-de-sacs are used, combine them with connected streets and focal points such as traffic circles, parks, or a neighborhood business to provide for ease of circulation and to promote a sense of an integrated community.

GOAL T.11: Establish and maintain level of service standards for roads.

POLICY T.11.1: Transportation system improvements shall be consistent with adopted levels of service.

POLICY T.11.2: The following shall serve as the City of Liberty Lake's level of service standard: The City's level of service shall be based on the operational analysis at arterial intersections conforming to the "Spokane County Standards for Road and Sewer Construction" as amended or as refined by the City.

GOAL T.15: Fund transportation improvements to meet existing and future needs based on level of service standards.

POLICY T.15.5: Impact mitigation fees and user-based fees shall be considered as a source for funding for all transportation improvements required because of new development.

GOAL T.17a: Develop transportation systems that avoid environmental impacts where possible and mitigate impacts where avoidance is not possible.

POLICY T.17.4: Protect and preserve environmentally sensitive areas to the greatest extent practical when developing new transportation facilities.

GOAL H.1: Preserve the character of existing neighborhoods and support quality new development.

POLICY H.1.1: Provide for innovative design options that support residential neighborhoods and provide for more efficient use of single family residential lands.

POLICY H.1.2: Encourage developers to work with neighborhoods to develop plans that address neighborhood concerns, such as environmental protection, aesthetics, quality of life, property values, and preservation of open space.

POLICY H.1.4: Require street trees and separated sidewalks to promote neighborhood character within residential developments.

GOAL H.3a: Provide the opportunity for all household income levels to obtain adequate housing.

GOAL H.3b: Accommodate a variety of housing options for all economic groups.

POLICY H.3.1: Accommodate a supply of all housing types.

POLICY H.3.2: Accommodate a broad range of ownership and rental housing opportunities.

POLICY H.3.8: Develop regulations and incentives to encourage cluster development of residential lands so open space, views, watersheds, and critical areas are permanently protected. (see LU.7.5)

POLICY H.3.12: Allow extremely low- through moderate-income households (as defined by HUD) to obtain affordable housing.

GOAL U.4: Coordinate private and public sanitary sewer and water planning and services in order to promote efficient service, protect natural resources, and ensure the orderly development of the City of Liberty Lake, consistent with adopted plans and policies.

POLICY U.4.3: Prior to approval of any proposed development inside the city boundaries, the developer will be required to demonstrate the adequacy of the planned sewer and water conveyance system capacity.

POLICY U.4.4: Prohibit the extension of water service to new development if such extension will decrease the level of service of the existing water system below the established minimum level of service.

GOAL U.5: As noted in other elements of this Comprehensive Plan, the City must prevent a degradation of the scenic resources of the community by regulating the placement of linear infrastructure such as utility lines, sewer lines, and other facilities.

POLICY U.5.1: Direct placement of telecommunication, cable television lines, and other utility facilities underground, at the rear of properties, or in alleyways and require undergrounding of all newly installed or extensively modified utilities, 13kV or under, to protect viewsheds and corridors. (see LU.5.6 & D.1.14)

POLICY U.5.2: Encourage joint planning of linear infrastructure such as transportation, water, sewer, power, and telecommunications lines.

GOAL P.1: Ensure the availability of a variety of parks, recreation facilities and services, and open space to benefit a wide range of age, social, economic, and special group interests and abilities.

POLICY P.1.4: Parks, recreation, and open space facilities should be located where they will provide for a variety of activities, as well as where they will best preserve, enhance, and protect important habitat areas, corridors and linkages, natural amenities (e.g., wetlands and shorelines), unique landscape features (e.g., cliffs and bluffs), or other outstanding natural features.

POLICY P.1.5: Allocate parks, recreation, and open space facilities throughout the City in a manner that provides an equitable geographic distribution based on population density.

POLICY P.1.6: Respond to the diversity of public needs by offering a range of recreational opportunities from passive to active, and from unstructured activity to organized recreation.

GOAL P.3: Set a minimum level of service for parks, trails, and open space of 30 acres per 1000 population, inclusive of golf courses, natural areas, school play areas, and other outdoor recreational areas.

POLICY P.3.1: Offer neighborhoods within the City the ability to increase park and recreation opportunities through privately owned neighborhood parks.

POLICY P.3.2: New development shall mitigate all of its direct impacts of development on public parks, recreation, and open space facilities by dedicating land in the form of parks, trails, or other open space, inclusive of golf courses, natural areas, school play areas, and other outdoor recreational areas.

POLICY P.3.3: Parks, trails, and other open spaces designed to mitigate development impacts shall be within maximum specified distances from all locations within the development.

GOAL P.5: Preserve and protect existing and designated open space areas and corridors throughout the City to maintain a physical and functional system of open space corridors which protect environmental resources, enhance visual aesthetics, provide circulation linkages, and ensure adequate separation and buffers between various land uses.

POLICY P.5.2: Encourage private efforts to acquire property and/or secure easements or development rights for open space, wildlife habitat, and recreation.

POLICY P.5.5: Through planning, open space corridors shall be established as appropriate to serve as greenbelt buffers, trails, wildlife habitat, and recreation areas between and among developments.

POLICY P.5.6: Identify and designate open space areas and corridors throughout the City. These open spaces shall include lands useful for recreation, wildlife habitat, trails, and connection of critical areas.

POLICY P.5.11: Encourage the preservation of open space by nonprofit organizations and private individuals.

POLICY P.5.13: Respect private property rights while preserving open space corridors through regulatory means.

POLICY P.5.14: Implement the open space designation through zoning and other regulatory techniques such as residential clustering, critical area buffers, and wildlife management plans to provide an open space system and to preserve and protect environmentally sensitive areas.

POLICY P.5.16: Established view corridors throughout the City shall be maintained and, whenever possible, enhanced.

GOAL P.6a: Create a system of multipurpose trails that meet present and projected recreational needs and connects with the regional system of such trails at multiple, convenient locations.

GOAL P.6b: Make the enhancement of the existing trail system plan a priority project.

POLICY P.6.1: Ensure trails are handicap accessible.

POLICY P.6.2: Prepare and maintain a recreational enhancements program for the trails plan. The trails plan should link population centers, community facilities, workplaces, neighborhoods, schools, recreation areas, open space, and cultural/historical areas. Coordinate with other agencies and trails committee(s) to ensure a comprehensive approach to trail system planning.

POLICY P.6.3: Separate recreational trails from motorized vehicle traffic where feasible.

POLICY P.6.4: Inventory and examine existing rights-of-way (including abandoned rail and utility easements) for possible use as multipurpose non-motorized vehicle trails.

GOAL NE.1a: The City of Liberty Lake will encourage management of critical areas in such a way that includes education, rehabilitation, preservation, protection, enhancement, mitigation, and incentives for protection.

GOAL NE.1b: Land use regulations and land use decisions in the City shall protect critical areas. Regulatory mechanisms such as limitations on land use or buffering requirements or programs such as transfer of development rights and acquisition of development rights should be used to retain critical areas whenever possible.

GOAL NE.1e: The City of Liberty Lake will determine the *carrying capacity* (the level of population and activity that the natural resource base can healthfully support) and will use that information in its land use decisions regarding critical areas. In some cases, critical areas are fragile and public access should be controlled.

GOAL NE.1f: Regulations developed by the City of Liberty Lake will not result in or constitute a taking of private property and shall be evaluated as provided for in RCW 36.70A.370.

POLICY NE.1.1: It will be the responsibility of the City of Liberty Lake Planning & Community Development Department to coordinate the identification of best available science and to provide a recommendation to decision-makers for use in designating and protecting critical areas and shorelines, pursuant to RCW 36.70A.172, WAC 365-195-900, RCW 90.58.100(1) and WAC 173-26-020.

GOAL NE.2: Ensure “no net loss” of wetland functions, value, and quantity as a result of land use activities and establish a long-term goal of measurable gain of wetlands function and value.

POLICY NE.2.4: New development shall not impact wetlands.

GOAL NE.5a: Prevent degradation of groundwater quality in Liberty Lake area aquifers.

GOAL NE.5b: Protect groundwater quality from development impacts.

GOAL NE.5c: Mitigate the effects of natural or un-natural events that lower aquifer water quality below minimum state standards.

POLICY NE.5.4: Evaluate proposed land use changes for both positive and negative impacts on groundwater quality, especially in moderate and highly susceptible critical aquifer recharge areas.

POLICY NE.5.5: Discourage development that would have a significant negative impact on the quality of an aquifer.

GOAL NE.13: Preserve the unique natural beauty of Liberty Lake by conservation of the native trees through public education, conservation incentives, and special consideration in the development process.

POLICY NE.13.4: Adopt tree conservation development regulations that discourage removal of mature trees, require appropriate tree replanting when removal is necessary to accommodate development, and provide incentives to conserve trees.

GOAL NE.18: Development should be discouraged in geologically hazardous areas unless it can be demonstrated that a hazard area can be developed consistent with public health and safety. Development permits may be conditioned to mitigate certain hazards.

POLICY NE.18.1: Any new subdivision or short subdivision that is determined to be in a geologically hazardous area where significant risk has been identified shall have specific language placed on the face of the plat (dedication) and title stating that the hazard is present.

POLICY NE.18.2: Residential, commercial, and industrial development in geologically hazardous areas should minimize disruption of existing topography and vegetation; and shall incorporate opportunities for phased clearing and grading.

POLICY NE.18.3: Construction should minimize risk to the natural environment and/or structures. Construction shall not increase the risk to the site and/or potentially affected adjacent properties.

POLICY NE.18.4: Clearing and grading activities in geologically hazardous areas shall consider limitations based upon seasonal weather conditions.

POLICY NE.18.5: Within geologically hazardous areas, site alteration, grading, and filling shall be the minimum necessary to accomplish approved designs/plans.

POLICY NE.18.6: Proposals should describe the hazards present, such as erosion, landslides, etc., and provide mitigation measures acceptable to the appropriate regulatory agency.

POLICY NE.18.7: Construction and development on geologically hazardous areas should have negligible effects on the quality and quantity of potentially affected surface and groundwater. Mitigation measures acceptable to the appropriate regulatory agency should be provided.

POLICY NE.18.8: Development in geologically hazardous areas should not be allowed without appropriate mitigation.

POLICY NE.18.9: Development proposals within geologically hazardous areas should submit an erosion control plan prior to receiving approval.

POLICY NE.18.10: Land use regulations and decisions should consider density transfers, bonus density, nature belt preservation, or other innovative mechanisms to retain geologically hazardous areas whenever possible and to facilitate implementation of the goals and policies for geologically hazardous areas.

GOAL NE.19: Geologically hazardous areas may be used as open space for recreation, rangeland, forest, wildlife habitat, and other uses as appropriate.

POLICY NE.19.1: Geologically hazardous areas demonstrated to be highly sensitive to modification by development activities shall be preserved in a natural condition for uses other than development.

POLICY NE.19.2: These highly sensitive areas should be inventoried and reviewed for consideration of the most appropriate non-development related use.

GOAL CF.3: Ensure that public facilities and services support proposed development at established Levels of Service.

POLICY CF.3.1: Development shall be approved only after it is determined that public facilities and services will have the capacity to serve the development without decreasing levels of service below adopted standards.

GOAL CF.6: Coordinate public water system planning to promote efficient service, protect the natural resources, and ensure the orderly physical development of the City of Liberty Lake consistent with adopted plans and policies.

POLICY CF.6.2: Prohibit the extension of water service to new development that will decrease the level of service of the existing water system below the adopted minimum level of service standards.

POLICY CF.6.3: Ensure water systems for developments include adequate supply and distribution systems for domestic use and fire protection per local, state and federal plans, policies and regulations.

GOAL CF.7: Coordinate public sanitary sewer planning to promote efficient service, protect natural resources, and ensure the orderly physical development of the City of Liberty Lake consistent with adopted plans and policies.

POLICY CF.7.2: Prohibit the expansion of any sewer services that will degrade the existing system below the adopted level of service.

POLICY CF.7.6: Determine whether new proposed development can be accommodated within the planned capacity of the sewer conveyance and treatment system before approval.

GOAL CF.9 Coordinate with individual school districts to ensure that school sites and facilities meet the educational needs of the City of Liberty Lake residents.

POLICY CF.9.4: Encourage the expansion of school facility capacity to proceed at a comparable rate with that of private residential development and demographic trends.

POLICY CF.9.5: Consider the adequacy of school facilities when reviewing new residential development.

GOAL CF.16: Growth and development activity should pay a proportionate share of the cost of planned facilities needed to serve the growth and development activity.

POLICY CF.16.1: Consistent with the Capital Facilities Plan, growth related impact fees may be imposed for public streets and roads; public parks, open space and recreation facilities; schools; and fire protection facilities.

POLICY CF.16.2: Growth related impact fees:

- a. Shall only be imposed for system improvements that are reasonably related to the new development;
- b. Shall not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development; and,
- c. Shall be used for system improvements that will reasonably benefit the new development.

Development Code

The subject property is located within the R-1 (Single Family Residential) zone along the western portion of the site and the O (Open Space/ Recreation) zone along the eastern portion of the site. The existing Legacy Ridge PUD is located west of the subject site.

There are several challenges with the submitted Liberty View Villas Preliminary Plat proposal since it is located on a steep hillside, but the adopted City Development Code establishes regulations for smaller lots, urban densities and streetscapes, etc. to concentrate growth within Urban Growth Area (UGA's) and specifically within the City limits, consistent with the WA State Growth Management Act (GMA) and the City's established UGA. Public comments have been made about an established wildlife corridor that the City's 2006 Priority Habitats Map does not show. Additionally, public comments have been made about a wetland / DNR stream located on the property. The City's 2006 Wetlands Map shows the DNR stream running E-W across the northern portion of the property and a previous site visit by City staff confirmed the presence of an intermittent stream consistent with the Budinger report; however the investigation by Larry Dawes of Biology, Soil, and Water Inc. concluded that there were "no jurisdictional wetlands or jurisdictional streams on the subject property." For the previous P-06-0001 Liberty Lake View Estates proposal, the City's Hearing Examiner found that "the intermittent stream issue is not an issue and not an impairment to the development of the site."

The following are definitions contained within the City Development Code that are applicable to the proposal and a chart identifying the City Development Code components, the proposal, and the standards contained within the Development Code for comparison to the proposal.

City Development Code Article 10-1C, Definitions

Buffer area - A designated area along the perimeter of a wetland, fish and wildlife habitat, or other critical area which is regulated to minimize impacts of adjacent activities and uses from intruding into the aquatic resource.

Critical aquifer recharge areas - Areas where there is an aquifer that is a source of drinking water that is vulnerable to contamination that would affect the potability of the water (WAC 365-190-030).

Critical areas - Include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. (Defined in 36.70A.030(5) as now or hereafter amended.)

Dwelling, Single-Family - A building designed for long-term habitation exclusively by 1 family, having complete living facilities, and constituting 1 dwelling unit. This term shall include manufactured homes and mobile homes.

Geologically hazardous areas - means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns. (Defined in 36.70A.030(9) as now or hereafter amended.)

Mitigation - To avoid, rectify, repair, or compensate for negative impacts which result from other actions (e.g., Improvements to a street may be required to mitigate for transportation impacts resulting from development.") Mitigation includes the following:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; or
6. Monitoring the impact and the compensation project and taking appropriate corrective measures. Mitigation may include a combination of the above measures.

Open Space and Recreation Zoning District (O Zone) - The O zone allows for open area spaces and recreational uses such as public/ private parks, preserves, and trails, as well as public and privately owned facilities such as golf courses. Local and regional recreation opportunities are included within this zone. The zone promotes the conservation of public and private sensitive or critical natural resource areas and areas of local interest as open space.

Steep slopes - Slopes of greater than 15 percent depending on soil conditions.

Preliminary Plat Proposal & Development Code Comparison

	Liberty View Villas Preliminary Plat Proposal	R-1 (Single Family Residential) Zone Standard	O (Open Space/ Recreation) Zone Standard
Ch.2 Land Use	Single Family Homes (Dwelling, single family) within the R-1 portion of the site	(P) Permitted Use	(N) Not Permitted
	Potential future open space/ recreation uses within the O portion of the site	N/A	Various uses are listed as (P) Permitted Use, (L) Limited Use, (CU) Conditional Use, or (N) Not Permitted based on the use
10-2B & 10-2L Development Setbacks	Front Yard = 16' / 20' Side Yard = 5' Rear Yard = 15'	Front Yard = 16' (house) / 20' (garage) Side Yard = 5' Rear Yard = 15'	Front Yard = 20' Side Yard = 5' / 20' from Residential Zones Rear Yard = 5' / 20' from Residential Zones & for buildings on through-lots the front yard setbacks shall apply Buffering - A 20 foot minimum buffer zone shall be required

			<p>between development and any adjacent Residential Zone to reduce light, glare, noise, and aesthetic impacts. The buffer zone shall provide landscaping to screen parking, service, and delivery areas, and walls without windows or entries, as applicable.</p> <p>Neighborhood Access - Construction of pathway(s) and fence breaks in setback yards may be required to provide pedestrian connections to adjacent neighborhoods or other districts, in accordance with Article 10-3B - Access and Circulation Standards.</p>
10-2B & 10-2L Lot Area	6.004 S.F. - 19,547 S.F.	Minimum Area = 5000 Sq. Ft.	<p>Minimum Area = None</p> <p>Maximum Area = None</p>
10-2B & 10-2L Lot Width / Depth	<p>Single Family Lots - 50' Minimum Width</p> <p>Single Family Lots - 328.69' Maximum Depth shown on preliminary plat map</p>	<p>Minimum Width = 50' at front property line</p> <p>Maximum Depth = Three (3) times the lot width, except as required to protect critical areas, etc.</p>	<p>Minimum Width = 50' at front property line</p> <p>Maximum Depth = None</p>
10-2B & 10-2L Lot Coverage	40% Maximum	40% Maximum	25% Maximum

10-2B & 10-2L Residential Density	Net Density = 5.64 lots/ acre	Minimum Net Density = 4 dwelling units per acre Maximum Net Density = 6 dwelling units per acre	None
10-2B & 10-2L Building Height	35' Maximum	35'	35'
10-3B-2 (F) Access Option	Private street connected to Liberty Lake Rd. (lots accessed off private street or driveways)	3. Subdivisions Fronting Onto an Arterial Street. New residential land divisions fronting onto an arterial street shall be required to provide alleys or secondary (local or collector) streets for access to individual lots. When alleys or secondary streets cannot be constructed due to topographic or other physical constraints, access may be provided by consolidating driveways for clusters of two or more lots.	
10-3B-2 (J) Street Connectivity & Formation of Blocks	N/A - Hillside development	The block length and perimeter standards may not apply when existing development patterns or physical constraints (e.g., topography, parcel configuration, and similar conditions) prevent construction in conformance with the standards.	
10-3B-3 Pedestrian Access & Circulation	Separated 6' wide sidewalks are proposed on both sides of the streets	<p><i>Continuous Pathways - The pathway system shall extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks, and open space areas whenever possible. The developer may also be required to connect or stub pathway(s) to adjacent streets and private property, in accordance with the provisions of Section 10-3B-2 - Vehicular Access and Circulation, and Article 10-3G.</i></p> <p><i>Street Connectivity - Pathways (for pedestrians and bicycles) shall be provided at or near mid-block where the block length exceeds the length required by Section 10-3B-2, subsection 'J'. Pathways shall also be provided where cul-de-sacs or dead-end streets are planned, to connect the ends of the streets together, to other streets, and/or to other developments, as applicable. Pathways used to comply with these standards shall conform to all of the following criteria (see p. 3-10, 4a - e)</i></p> <p>Sidewalk & Pathway Surface. Sidewalks shall be concrete and at least 6' wide, unless</p>	

		otherwise specified by this Code. Pathway surfaces shall be concrete, asphalt, brick/ masonry pavers, or other durable surface, at least 10 feet wide. Separated sidewalks with planters shall be required along both sides of streets in all residential plats and shall be designed in conformance with the City of Liberty Lake Street Standards.
10-3C-4 Street Trees	Street trees are shown on both sides of the street on the proposed street section and the preliminary landscape plan	Street trees shall be planted for all developments that are subject to Land Division or Site Design Review. Separated sidewalks with planters shall be required along both sides of streets in all residential plats. Requirements for street tree planting strips are provided in Section 10-3G-2.
10-3D-3 Vehicle Parking	98 spaces (2 per unit)	3-bedroom or greater units 2 spaces per dwelling unit
10-3G-2 Transportation Improvements	<p>Streets will be built to public standards, but privately maintained,</p> <p>Proposed street section</p>	<p>Privately owned and maintained streets may be allowed, but are not encouraged. However, private streets must meet all the design and construction standards required for public streets.</p> <p>Street Location, Width, and Grade - Except as noted below, the location, width, and grade of all streets shall conform to the Transportation Improvement Plan, as applicable, the City of Liberty Lake Street and Stormwater Standards; and an approved street plan or subdivision plat. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience, and safety, and in appropriate relation to the proposed use of the land to be served by such streets:</p> <ol style="list-style-type: none"> 1. Street grades shall be approved by the City Engineer in accordance with the City of Liberty Lake Street and Stormwater Standards; and 2. Where the location of a street is not shown in an existing street plan (See subsection 'G'), the location of streets in a development shall either: (see p. 3-50, 2a - b) <p>Minimum Rights-of-Way and Street Sections - Street rights-of-way and improvements shall be the widths listed in the City of Liberty Lake Street and Stormwater Standards. Where a range of width is indicated, the width shall be determined by the decision-making authority based upon the following</p>

		<p>factors: (see p. 3-50, E1 - 13)</p> <p>Street Alignment and Connections -</p> <p>1. Staggering of streets making "T" intersections at collectors and arterials shall not be designed so that jogs of less than 300 feet on such streets are created, as measured from the centerline of the street.</p> <p>Cul-de-sacs. A cul-de-sac should be no more than 200 feet long and shall only be used when environmental or topographical constraints, existing development patterns, or compliance with other standards in this code preclude street extension and through circulation.</p>
<p>10-3G-4 Sanitary Sewer and Water Service Improvements</p>	<p>Public sewer & water proposed to be provided by the Liberty Lake Sewer & Water District</p> <p>The Liberty Lake Sewer & Water District has stated Water & sewer are available for development on a first come first served basis. Due to the elevation of the plat, a water booster station will be required for the proposed lots. Due to the number of lots, storage for fire flow, peaking, & emergency conditions will be required.</p>	<p>Sewers and Water Mains Required & plans must be approved by the City.</p> <p>Development permits may be restricted by the City where a deficiency exists in the existing water or sewer system which cannot be rectified by the development and which if not rectified will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems.</p>
<p>10-3G-5 Storm Drainage Improvements</p>	<p>Stormwater detention ponds with drywells are proposed by Storhaug Engineering</p> <p>A Conceptual Drainage Report was previously submitted for the Liberty Lake View Estates proposal and a revised Report for Liberty View Villas was submitted on July 9, 2007.</p>	<p>The City shall issue a development permit only where adequate provisions for storm water and flood water runoff have been made in conformance with Article 10-3H - Stormwater Management.</p>
<p>10-3G-6 Utilities</p>	<p>Utility easements shown on preliminary plat map</p>	<p>Underground Utilities - All utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground if screened, temporary utility service facilities</p>

		during construction, and high capacity electric lines operating at 50,000 volts or above. The following additional standards apply to all new subdivisions, in order to facilitate underground placement of utilities: (see p. 3-56, A1-4)
10-6B Critical Areas	<p><i>The SEPA Checklist states that soils for most of the site have been listed as highly erodible with 15% - 50% slopes. The site is contained within the ASA Overlay. No jurisdictional wetlands or streams are located on the site.</i></p> <p>According to the study previously submitted by Larry Dawes of Biology, Soils, & Water, Inc., the site does not contain any critical areas</p> <p><i>The Geotechnical Report previously prepared by Budinger & Associates identifies steep slopes (especially along the E. side), an intermittent stream at the N. end of the property, & groundwater may have significant impacts to road cut designs</i></p> <p><i>The Preliminary Geo-Hazard Report submitted to the City on 5/23/07 stated that "Based on the research and reconnaissance described herein, we conclude that hydraulic factors, alluvium, landslide deposits, uncompacted fill, or rapid stream bank erosion, are not present on scales large enough to be considered geologic hazards. Our opinion is that potential geologic hazards associated with erosive soils may be mitigated by implementing effective erosion control measures before, during, and following site disturbance and construction."</i></p>	<p>Wetlands & geo-hazard areas are identified on the maps utilized by the City, as outlined in the Development Code, in the event of a conflict between the information shown on the maps and information shown as a result of field investigations, the latter shall prevail.</p> <p>For the previous P-06-0001 Liberty Lake View Estates proposal, the City's Hearing Examiner found that "the intermittent stream issue is not an issue and not an impairment to the development of the site."</p> <p>Wetlands.</p> <ul style="list-style-type: none"> a. Ensure "no net loss" of wetland functions, value, and quantity as a result of land use activities and establish a long-term goal of measurable gain of wetlands function and value; b. Establish wetland management programs that include identification of wetlands and a classification system; and c. Protect and enhance wetlands so that they are able to perform their natural functions and maintain their beneficial values. <p><i>Geologically Hazardous Areas - The area is identified as having erodible soils.</i></p> <ul style="list-style-type: none"> a. <i>Development should be discouraged in geologically hazardous areas unless it can be demonstrated that a hazard area can be developed consistent with public health and safety. Development permits may be conditioned to mitigate certain hazards.</i> b. <i>Geologically hazardous areas may be used as open space for recreation, rangeland, forest, wildlife habitat, and other uses as appropriate.</i> <p>Critical Aquifer Recharge Areas -</p> <ul style="list-style-type: none"> a. Prevent degradation of groundwater quality in Liberty Lake area aquifers. b. Protect groundwater quality from development impacts. c. Mitigate the effects of natural or un-natural events that lower aquifer water quality below minimum state standards. d. Secure adequate water quantity for the residents of the City of Liberty Lake without artificially over-allocating available resources to any single customer or group of

		<p>customers.</p> <p><i>Single Family Private Access Street/Driveway - Not permitted in wetlands or buffers, Limited in Habitats & Geo-hazard areas.</i></p> <p>Reasonable Use Exception (Development Code Section 10-6B-2, subsection B) -</p> <p>1. Requirements. If an applicant for a development proposal demonstrates to the satisfaction of the Director that application of the standards of this article would deny all reasonable use of the property, development as conditioned shall be allowed. The applicant shall pay a fee, as established in the adopted Planning & Community Development Department (P&CD) Fee Schedule, which may cover mailing and processing and submit documentation on forms provided by P&CD demonstrating all of the following to the satisfaction of the Director:</p> <ul style="list-style-type: none"> a. Applications of this article would deny all reasonable use of the property; and b. There is no reasonable use with less impact on the wetland, fish and wildlife habitat, or geo-hazard area; and c. The requested use or activity will not result in any damage to other property and will not threaten the public health, safety, or welfare on or off the property; and d. Any alteration to the wetland, fish and wildlife habitat, or geo-hazard area is the minimum necessary to allow for reasonable use of the property; and e. The inability of the applicant to derive reasonable use is not the result of actions by the applicant in subdividing the property or adjusting boundary lines thereby creating the undevelopable condition after the effective date the Code.
		<p>A previous site visit for the Liberty Lake View Estates proposal was conducted on September 25, 2006 with Doug Smith, Director of Planning & Community Development, Mary Wren-Wilson, City Environmental Specialist, & Larry Dawes of Biology, Soil, & Water, Inc. At the site visit, evidence of an intermittent stream was visible, as described in the Budinger report. The stream path contained damp soil and small plant life including moss. Evidence of a small collection area was visible at the base of the hill, however no standing water was present. It appeared that the proposed access street cut for Liberty View Lane would bisect the intermittent stream area. The Budinger report submitted by the applicant supports the concerns about road cuts in the intermittent stream and collection area. The investigation by Larry Dawes of Biology, Soil, and Water Inc. concluded that there were "no jurisdictional wetlands or jurisdictional streams on the subject property." For the previous P-06-0001 Liberty Lake View Estates proposal,</p>

	the City's Hearing Examiner found that "the intermittent stream issue is not an issue and not an impairment to the development of the site."
<i>The text shown above in italics denotes areas of concern between the proposal and the adopted standard.</i>	

Staff Summary: As proposed, the Preliminary Plat is consistent with the requirements of the City Development Code and specific critical area mitigation requirements are addressed in the proposed conditions of approval and SEPA MDNS.

The City of Liberty Lake Planning & Community Development Department Staff recommends that if this project is approved, the mitigating measures as outlined in the SEPA MDNS and attached conditions of approval be utilized.

ATTACHMENTS:

- A. Recommended Conditions of Approval
- B. Maps
 - Preliminary Plat w/ Vicinity Map
 - Preliminary Landscape Plan
 - Site Analysis Map
 - City Comprehensive Plan Land Use Map
 - City Zoning Map
 - City Aquifer Susceptibility Map
 - City Flood Hazard Areas Map
 - City Geologic Hazards & Constraints Map
 - City Liberty Lake Watershed Map
 - City Natural Resource Lands & Historic Sites Map
 - City Priority Habitats
 - City Wetlands Map
- C. SEPA Checklist & Threshold Determination
- D. Notice of Public Hearing
- E. Budinger & Associates GeoTechnical Report & Drainage Evaluation for P-06-0001
- F. Budinger & Associates Preliminary GeoHazard Evaluation Report for P-07-0001
- G. Correspondence from Larry Dawes at Biology, Soils, & Water, Inc. for P-06-0001
- H. Agency Comments
- I. Public Comments

The Conceptual Drainage Report for Liberty View Villas, P-07-0001, dated 7/7/07 is included as a separate document.

ATTACHMENT A

RECOMMENDED CONDITIONS OF APPROVAL



Planning & Community Development Department

RECOMMENDED CONDITIONS OF APPROVAL

Liberty View Villas - File # P-07-0001

1. All conditions imposed by the Hearing Examiner and/or the City Council shall be binding on the "Applicant", which term shall include the owner or owners of the property, heirs, assigns, and successors.
2. The preliminary subdivision applies to the following described real property:

PARCEL "A":

A TRACT OF LAND SITUATED IN SECTIONS 15 AND 22, TOWNSHIP 25 NORTH, RANGE 45 E.W.M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT FROM WHICH THE QUARTER SECTION CORNER COMMON TO SAID SECTIONS 15 AND 22 BEARS SOUTH 15°58'47" WEST A DISTANCE OF 217.21 FEET; THENCE SOUTH 23°45' EAST A DISTANCE OF 620.0 FEET; THENCE SOUTH 79°00' WEST A DISTANCE OF 215.0 FEET; THENCE SOUTH A DISTANCE OF 608.0 FEET; THENCE NORTH 89°36'51" WEST A DISTANCE OF 296.0 FEET; THENCE NORTH 01°30'00" WEST A DISTANCE OF 936.0 FEET; THENCE NORTH 50°00'00" WEST A DISTANCE OF 297.60 FEET; THENCE NORTH 9°12'41" EAST A DISTANCE OF 751.52 FEET; THENCE NORTH 71°00'35" EAST A DISTANCE OF 227.57 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF LIBERTY LAKE ROAD; THENCE SOUTH 18°16'35" EAST ALONG THE WESTERLY RIGHT OF WAY LINE OF LIBERTY LAKE ROAD A DISTANCE OF 332.32 FEET; THENCE ALONG A CURVE TO THE LEFT, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1938.14 FEET, THROUGH A CENTRAL ANGLE OF 6°23'07" A DISTANCE OF 215.99 FEET ALONG SAID RIGHT OF WAY; THENCE SOUTH 65°20'18" WEST 10.00 FEET ALONG SAID RIGHT OF WAY; THENCE ALONG A CURVE TO THE LEFT, CONCAVE TO THE NORTHEAST, HAVING A BACK TANGENT WHICH BEARS SOUTH 24°39'42" EAST A RADIUS OF 1948.14 FEET, THROUGH A CENTRAL ANGLE OF 3°00'10" A DISTANCE OF 102.10 FEET ALONG SAID RIGHT OF WAY; THENCE NORTH 62°20'08" EAST 10.00 FEET ALONG SAID RIGHT OF WAY; THENCE ALONG A CURVE TO THE LEFT, CONCAVE TO THE NORTHEAST, HAVING A BACK TANGENT WHICH BEARS SOUTH 27°39'52" EAST, A RADIUS OF 1938.14 FEET, THROUGH A CENTRAL ANGLE OF 4°06'35" A DISTANCE OF 139.02 FEET; THENCE WEST A DISTANCE OF 122.57 FEET TO THE PLACE OF BEGINNING; (ALSO KNOWN AS PHASE 2 OF LIBERTY LAKE ESTATES): EXCEPTING THEREFROM THE EASTERLY 20 FEET THEREOF CONVEYED TO SPOKANE COUNTY FOR LIBERTY LAKE ROAD BY RIGHT OF WAY DEED RECORDED SEPTEMBER 1, 1983 UNDER RECORDING NO. 830910265; SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

PARCEL "B":

A TRACT OF LAND SITUATED IN SECTIONS 15 AND 22, TOWNSHIP 25 NORTH, RANGE 45 E.W.M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT FROM WHICH THE QUARTER SECTION CORNER COMMON TO SAID SECTIONS BEARS NORTH 72°29'47" EAST A DISTANCE OF 232.62 FEET; THENCE SOUTH 1°30'00" EAST A DISTANCE OF 936.00 FEET; THENCE NORTH 89°36'51" WEST A DISTANCE OF 280.84 FEET; THENCE NORTH 00°28'44" EAST A DISTANCE OF 1001.92 FEET; THENCE NORTH 9°12'41" EAST A DISTANCE OF 124.81 FEET; THENCE SOUTH 50°00'00" EAST A DISTANCE OF 297.60 FEET TO THE PLACE OF BEGINNING: SITUATE IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON. (PARCEL NO. 55226.9035)

3. The applicant shall comply with the SEPA MDNS Determination that was issued on July 10, 2007 and the mitigating conditions set forth herein. They are:
 - a. Participation in the Harvard Rd. Mitigation Plan and any other impact fees, such as that for schools, parks, etc., approved by the City Council, consistent with the City of Liberty Lake's Comprehensive Plan, shall be paid upon issuance of building permits for this project.
 - b. Prior to final plat submittal, the applicant shall supply a traffic analysis for Liberty Lake Rd. to demonstrate adequate sight distance availability at the proposed intersection of Liberty Lake Rd. and "Liberty View Lane." Off-site improvements may be required by the City of Liberty Lake to mitigate traffic problems and increase pedestrian circulation.
 - c. The final plat shall comply with the City Development Code Chapter 6, Environment, specifically as related to critical areas and any form of potential disturbance to critical areas shall be reviewed and mitigated as required by Chapter 6.
 - d. Development of the site shall comply with the City Development Code Section 10-3C-2, Landscape Conservation. Mapping of trees within right-of-way and critical areas shall be required at time of final plat civil plan submittals.
 - e. A Temporary Erosion and Sedimentation Control (TESC) plan is to be prepared by a WA State licensed Professional Engineer and implemented throughout the duration of construction. The TESC plan is to be prepared using best management practices (BMP's) currently accepted within the Civil Engineering profession. The TESC plan is to include, as a minimum, a grading plan, location, and details of silt control structures (such as silt ponds, silt traps) are to be installed prior to other site work and the TESC measures are to be implemented and maintained throughout the duration of construction, including house construction.
 - f. Geotechnical exploration and analysis to address slope stability, specifically with the design of slopes, walls, streets, utilities, structures, and earthwork shall be conducted prior to preparation of the civil plans for the final plat. Copies of the final geotechnical engineering evaluations / studies shall be submitted with the civil plans for the final plat.
 - g. Development of the site shall comply with the City Development Code Article 10-3H, the Stormwater Management Manual for Eastern WA.
 - h. A Stormwater Pollution Prevention Plan for the project site may be required and should be developed by a qualified person(s). Erosion and sediment control measures in the plan must be implemented prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil can damage

aquatic habitat and are considered pollutants. The plan must be upgraded as necessary during the construction period.

- i. The operator of a construction site which disturbs one acre or more of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under Department of Ecology's Baseline General Permit for Stormwater Discharges Associated with Construction Activities.
 - j. Compliance with the Washington State Department of Ecology Water Quality and Solid Waste Program requirements shall be required.
 - k. All new dry wells and other injection wells must be registered with the Underground Injection Control program (UIC) at Department of Ecology prior to use and the discharge from the wells must comply with the ground water quality requirement (nonendangerment standard) at the top of the ground water table.
 - l. The requirements for Spokane Clean Air (formerly SCAPCA) shall be met at the time of project construction.
 - m. Additional comments for this project are included within the proposed Conditions of Approval for the project.
4. The proposal shall comply with the R-1 (Single Family Residential) and O (Open Space/ Recreation) Zones, as amended.
 5. The final plat shall be designed substantially in conformance with the preliminary plat, as amended, to meet the City development standards. No increase in density or numbers of lots, or substantial modification of the preliminary plat or conditions of approval, shall occur without a change of conditions application and its approval by the Hearing Examiner and City Council after public hearings. Applicant acknowledges and agrees that upon a modification of the City Development Code, approved by the City Council prior to final plat submittal, that allows a net density of less than four (4) units per acre due to topographical constraints, that the applicant will submit a final plat showing a reduced number of lots that is more suitable for hillside development. Additionally, any modification of the City Development Code, approved by the City Council prior to final plat submittal, that allows a modification of the development design standards due to topographical constraints or existing conditions may also be incorporated into the final plat submittal.
 6. The Planning & Community Development Department Director / designee shall review any proposed final plat to ensure compliance with these Findings and Conditions of Approval.
 7. A final plat / name / number shall be indicated before the final plat is filed, such name / number to be approved by the Planning & Community Development Director / designee.
 8. Appropriate street name(s), approved by the Planning & Community Development Department, shall be drafted on the face of the final plat.
 9. The street address for each lot shall be indicated on the face of the final plat. The City of Liberty Lake Planning & Community Development Department reserves the right to confirm the actual address at the time a building permit is issued.
 10. The preliminary plat is given conditional approval for five (5) years from date of approval. To request an extension of time on the preliminary plat, the applicant must submit a written request to the City of Liberty Lake Planning & Community Development Department at least thirty (30) days prior to the preliminary plat expiration in accordance with City Development Code section 10-4D-3 (D) Modifications and Extensions. If an extension

request is not submitted prior to the expiration of the preliminary plat, the preliminary plat will become null and void at such time to the extent it has not received final plat approval.

11. Appropriate utility easements shall be indicated on copies of the proposed final plat. Approval of utility easements by appropriate utility companies and ability to serve letters shall be received with submittal of the final plat.
12. Placement of telecommunication, cable television lines, and other utility facilities shall be underground and undergrounding of all newly installed or extensively modified utilities under 13kV shall be required to protect viewsheds and corridors.
13. Liberty Lake Rd. is identified by the City of Liberty Lake as an Aesthetic Corridor / Boulevard. Rock outcroppings and native or established landscaping visible from Liberty Lake Rd. shall be preserved.
14. The final plat dedication shall state:

Utility easements shown on the herein described plat are hereby dedicated for the use by serving utility companies for the construction, reconstruction, maintenance, protection, inspection, and operation of their respective facilities; fiber optics, cable, phone, natural gas, and electric. The rights granted herein shall prohibit: Encroachment of drainage swales or '208 structures' when they interfere with the utilization of these easement strips by the serving utilities; Changes in grade that alter coverage over installed facilities; Installation of water meter boxes; Placement of surface structures of brick, rock, or masonry that interfere with the rights granted herein. The installation of street light poles is also prohibited unless installed by the serving utility company. Utility companies also have the right to trim and/or remove trees, bushes, landscaping, and to prohibit structures that may interfere with the construction, reconstruction, reliability, maintenance, and safe operation of same. This provision shall not prohibit fences or any lateral crossings of the easement strips with domestic water or sewer lines.
15. House setbacks shall conform to the City Development Code and shall be identified on the final plat as follows with a matching detail:

Front Yard = 16' (house) / 20' (garage)
Side Yard = 5'
Rear Yard = 15'
Flanking Yard = 15'
16. The final plat map shall indicate by a clear, dashed line, the required yard setbacks from all streets. The final plat dedication shall state:

"Setbacks are specifically drafted on this final plat. The setbacks indicated on this plat may be varied from if proper zoning approvals are obtained."
17. Final plat submissions shall comply with City Development Code section 10-4D-7, Submissions and Approval Criteria: Final Plat, BSP, and Short Plat, as applicable.
18. At the time of final plat submittal, the applicant shall supply two (2) current certificates of title to the City of Liberty Lake Planning & Community Development Department, with the plat file number indicated on the plat certificate cover sheet.
19. At the time of final plat submittal, the applicant shall supply a copy of all Covenants, Conditions, & Restrictions (CCR's), deed restrictions, private easements and agreements, and other documents pertaining to common improvements that have or will be recorded that are referenced on the plat or that affect the property.

20. At the time of final plat submittal, the applicant shall demonstrate either on the face of the final plat or on an acceptable attachment that all lots located on a cul-de-sac street meet or exceed the minimum required front lot line width.
21. Prior to final plat submittal, the applicant shall demonstrate feasibility for providing driveway access and building sites on each lot. All individual lot access driveways must meet the driveway approach grade standards contained in the City Street Standards and be acceptable to the City Engineer.
22. A survey is required prior to filing of the final plat.
23. The final plat dedication shall state and information shall be provided:

The owners of all lots within this subdivision shall be members of the "Liberty View Villas" Homeowner's Association, a homeowners association created by document recorded _____ by the Secretary of State of the State of Washington under U.B.I Number _____ and subject to the Articles of Incorporation and Bylaws thereof. Subject to the DECLARATION OF PROTECTIVE COVENANTS FOR "LIBERTY VIEW VILLAS" HOMEOWNER'S ASSOCIATION as recorded under Auditor's Document No. _____.
24. The final plat dedication shall state:

"Liberty View Villas" Homeowner's Association will be responsible for the maintenance of all landscaped strips, open space tracts, alleys / driveways, and street lighting. Additionally, any private streets or common areas shown on this plat are hereby dedicated to the "Liberty View Villas" Homeowner's Association and the HOA will be responsible for the maintenance of streets and common areas within the neighborhood.
25. Any private streets and common areas shall be considered subservient estates for tax purposes to the other lots created herein.
26. The drainage system will neither be maintained nor operated by the City. Prior to plan acceptance by the City, the Sponsor shall provide a mechanism, acceptable to the City, for the perpetual maintenance of the stormwater drainage system. This mechanism shall also provide for the funding of routine maintenance and the replacement of the various components of the drainage system at the end of the service life of the respective components, and any other improvements that may be legally required in the future. An Operations and Maintenance Manual for the stormwater management system shall be prepared by the Sponsor's Engineer, and included in the project documents submitted to the City for acceptance, along with a discussion of the design life of the various components, a calculated annual cost for repair and maintenance, and a calculated replacement cost. Homeowners Associations are accepted by the City for carrying out the required maintenance functions and responsibilities.
27. The City of Liberty Lake Planning & Community Development Dept. shall prepare and record with the Spokane County Auditor at time of final plat recording, a notice that the property in question is subject to a variety of special conditions imposed as a result of approval of a land use action. This Title Notice shall serve as a public notice of the conditions of approval affecting the property in question. The Title Notice should be recorded within the same time frame as allowed for an appeal and shall only be released, in full or in part, by the Planning & Community Development Dept. The Title Notice shall generally provide as follows:

The parcel of property legally described as [insert legal description] and commonly known as "Liberty View Villas" is the subject of a land use action by the City of Liberty

Lake City Council on [insert date], imposing a variety of special development conditions. File # P-07-0001 is available for inspection and copying at the Liberty Lake Planning & Community Development Dept.

28. All construction within the "Liberty View Villas" that does not meet the required setbacks of Appendix J of the 2006 International Building Code (IBC) for building close to slopes is to be engineered. Slope stabilization is also to meet the standard of Appendix J.
29. The final plat dedication shall state:

The owners or successors in interest agree to join in any City-approved stormwater management program and to pay such rates and charges as may be fixed through public hearings for service or benefit obtained by the planning, design, constructing, maintaining, or operation of stormwater control facilities.

The owners or successors in interest also agree to join in any City-approved local improvement district for street improvements and to pay such rates and charges as may be fixed through public hearings for service or benefit obtained by the planning, design, constructing, maintaining, or operation of streets.
30. The final plat dedication shall state:

A public sewer system will be made available for the plat, and individual services will be provided to each lot prior to sale. Use of individual on-site disposal systems shall not be authorized. The developer of the proposal shall bear the cost of providing the required services to the lots.
31. The final plat dedication shall state:

A public water system will be made available for the plat and individual service will be provided to each lot prior to sale. The use of private wells or water systems is prohibited. The developer of the proposal shall bear the cost of providing the required services to the lots.
32. The final plat dedication shall state:

The public water system, pursuant to the Water Plan approved by the City, Spokane County Fire Protection District #1, and the water purveyor, shall be installed within this subdivision, and the subdivider / sponsor shall provide for individual domestic water service as well as fire protection to each lot prior to sale of each lot and prior to issuance of a building permit for each lot.
33. A water plan and emergency access approval letter from Fire District #1 shall be supplied prior to recording of the final plat. The water system must be designed to be adequate for proposed home sizes. Compliance with Section D107.1 of the 2006 International Fire Code shall be required.
34. Prior to the issuance of the initial building permit(s), the applicant shall submit to the City Planning & Community Development Department, documentation signed by the water purveyor and the applicable fire district stating that the public water system has been installed, tested, and accepted as operational pursuant to the approved water plan.
35. Sewer plans acceptable to the City / sewer purveyor shall be submitted prior to the finalization of the project.
36. Before the street and stormwater plans are submitted to the City of Liberty Lake, a Design Deviation must be submitted to the City for any non-standard elements of the project plans. The sponsor shall acquire approval of the Design Deviation from the City before

construction plans are submitted for review. The Design Deviation request must include adequate engineering justification and drainage calculations, and should include any other agency approvals that may be necessary for the proposed deviation to work as designed. The Design Deviation request shall include a description of maintenance responsibilities. The City may approve or deny a Design Deviation or may impose conditions of approval on the Design Deviation.

37. Prior to final plat submittal, a Professional Engineer, licensed in the State of Washington, shall submit four (4) copies of the street, grading, and drainage plans, a drainage report, and calculations that conform to the adopted City Street and Stormwater Standards, and all standards and laws that are applicable to this project. Final street, grading, and drainage plans, and drainage reports shall receive acceptance by the City prior to release of a construction or building permit or approval of the final plat.
38. If the development will be gated, a Knox key switch at the gate is required by the Spokane County Fire District #1.
39. Fire hydrants will be required every 600 feet along proposed streets and driveways.
40. Turning radiuses for private driveways and secondary access must be supplied to the Spokane County Fire District #1 and private driveways may require fire department turnarounds.
41. All internal streets which are to be constructed within the proposed development are to be constructed to public street standards for local access streets with curbing and separated sidewalks, as required by the City Development Code and the adopted City Street Standards.
42. Construction within the proposed streets and easements shall be performed under the direct supervision of a licensed engineer / surveyor, who shall furnish the Planning & Community Development Department with "Record Drawings" plans and a certification in writing that all improvements were installed to the lines and grades shown on the approved construction plans and that all disturbed monuments have been replaced.
43. Approach permits are required for any access to the City of Liberty Lake street system.
44. No construction work is to be performed within the existing or proposed public right-of-way until a Right of Way permit has been issued by the Planning & Community Development Department. All work is subject to inspection and approval by the City.
45. All construction work, i.e. utilities, streets, stormwater, etc., is to be completed prior to filing the final plat or a bond for the amount estimated and certified and stamped by a Professional Engineer, licensed in the State of Washington to cover the cost of construction of improvements, construction certification, "Record Drawings" plans, and monumenting the street centerlines shall be filed with the City Planning & Community Development Department.
46. Prior to recording of the final plat, cost estimates for all improvements, including landscaping, with engineer's stamp and signature are to be supplied to the City for review and approval. Additionally, the cost estimates for the items that will be bonded for with engineer's stamp and signature are to be supplied to the City for review and approval, prior to bond preparation.
47. Appropriate provisions shall be made that the following described property be held in trust until the continuation of the streets be dedicated or deeded: A 1-foot strip at the ends of edges of all streets that terminate or border the plat boundary. Temporary cul-de-sacs are required when streets terminate at the plat boundaries.

48. No direct access will be allowed from individual lots to Liberty Lake Rd.
49. The final plat shall include provisions for pedestrian linkages shown on the final civil plans and final plat map, as required by the City Development Code Section 10-3B-3, to construct a continuous pathway system that includes street connectivity and connection to the trail system at Settler Drive / Outlet Channel Trail. Improvements along Liberty Lake Rd. may require additional right-of-way necessary to accommodate a 10' wide asphalt, multi-use path, separated from Liberty Lake Rd. along the project frontage between the proposed Liberty View Lane and Settler Drive.
50. A pedestrian crossing, signed and striped per MUTCD, will be required across Liberty Lake Rd. aligned with the north sidewalk on Settler Drive.
51. Prior to final plat submittal, the project sponsor shall evaluate the drainage facilities for Liberty Lake Rd. along the project frontage and improvement may be required.
52. A school bus staging area shall be provided at the connection of Liberty View Lane and Liberty Lake Rd. Configuration is to be coordinated with Central Valley School District (CVSD).
53. The applicant is advised that there may exist utilities either underground or overhead affecting the applicant's property, including property to be dedicated or set aside future acquisition. The City of Liberty Lake will assume no financial obligation for adjustments or relocation regarding these utilities. The applicant should contact the applicable utilities regarding responsibility for adjustment or relocation costs and to make arrangements for any necessary work.
54. Prior to recording the final plat, the sponsor shall demonstrate to the satisfaction of the Spokane Regional Health District that an adequate and potable water supply is available to each lot of the plat.
55. If the requested plat is approved, the Director of Planning & Community Development will review to ensure Transportation Concurrency.

ATTACHMENT B

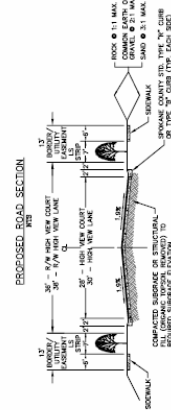
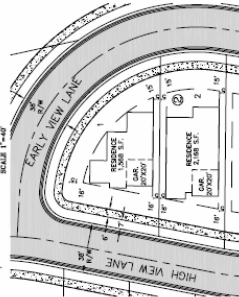
MAPS

- **PRELIMINARY PLAT W/ VICINITY MAP**
- **PRELIMINARY LANDSCAPE PLAN**
- **SITE ANALYSIS MAP**
- **CITY COMPREHENSIVE PLAN LAND USE MAP**
- **CITY ZONING MAP**
- **CITY AQUIFER SUSCEPTIBILITY MAP**
- **CITY FLOOD HAZARD AREAS MAP**
- **CITY GEOLOGIC HAZARDS & CONSTRAINTS MAP**
- **CITY LIBERTY LAKE WATERSHED MAP**
- **CITY NATURAL RESOURCE LANDS & HISTORIC SITES MAP**
- **CITY PRIORITY HABITATS**
- **CITY WETLANDS MAP**

A PORTION OF THE SOUTH 1/2 OF SECTION 15
AND THE NORTH 1/2 OF SECTION 22
TOWNSHIP 25 NORTH, RANGE 45 EAST, W.M.
CITY OF LIBERTY LAKE,
SPOKANE COUNTY, WASHINGTON

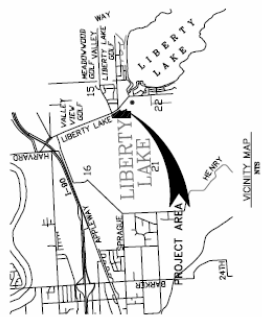
LEGEND

—————	PROPOSED PLAT BOUNDARY
—————	PROPOSED LOT LINES
—————	EXISTING LOT LINES
—————	PROPOSED RIGHT OF WAY
—————	EXISTING RIGHT OF WAY
—————	PROPOSED EASEMENT
—————	LIBERTY LAKE SENIOR & WATER DISTRICT
—————	LANDSCAPE
LS	LAND
15	BLOCK NUMBER



1. THE PROPERTY BOUNDARIES SHOWN ARE APPROXIMATE, SUBJECT TO SURVEY.
2. THE LOCATIONS AND WIDTHS OF ADJOINING RIGHT-OF-WAY IS APPROXIMATE.

PRELIMINARY



LEGAL DESCRIPTION

[illegible]

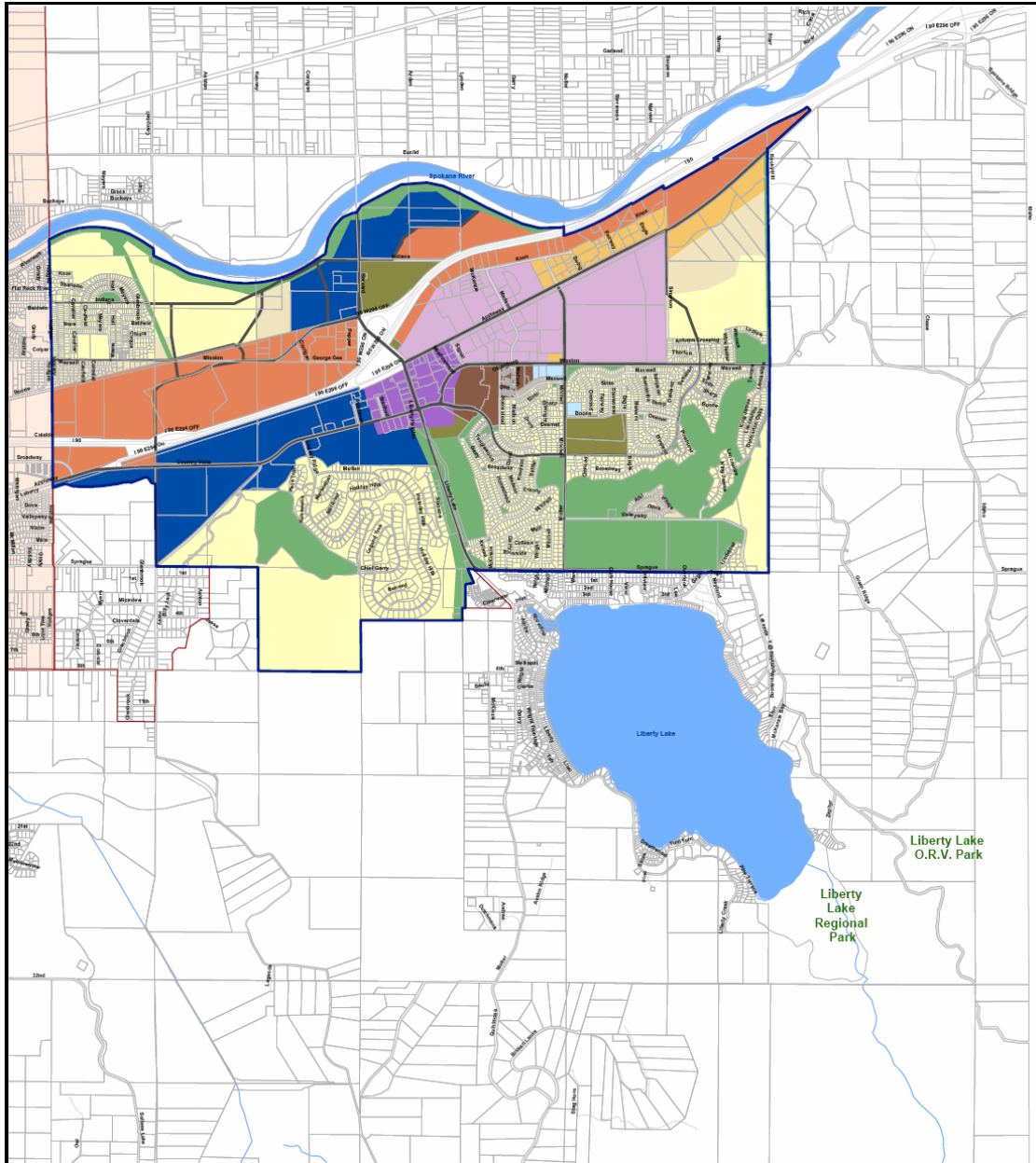
PARCEL 24.
A TRACT OF LAND SITUATED IN SECTIONS 15 AND 22, TOWNSHIP 25 NORTH, RANGE 45 EAST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT FROM WHICH THE QUARTER SECTION CORNER COMMON TO SAID SECTION 15 AND 22, TOWNSHIP 25 NORTH, RANGE 45 EAST, DISTANCE 100.92 FEET; THENCE NORTH 77° 00' 00" EAST, DISTANCE 170.00 FEET; THENCE NORTH 73° 00' 00" EAST, DISTANCE 170.00 FEET; THENCE NORTH 02° 29' 41" EAST, A DISTANCE OF 1001.92 FEET; THENCE NORTH 91° 01' 41" EAST, A DISTANCE OF 124.81 FEET; THENCE SOUTH 50° 00' 00" EAST, A DISTANCE OF 297.60 FEET TO THE PLACE OF BEGINNING.
BEING A TRACT OF LAND IN THE COUNTY OF SPOKANE, STATE OF WASHINGTON.

SITE DATA TABLE	
NO. OF BUILDING PARCELS (THIS 1)	29 SINGLE-FAMILY UNITS
NO. OF BUILDING PARCELS (THIS 2)	29 SINGLE-FAMILY UNITS
TOTAL NO. OF BUILDING PARCELS	49 SINGLE-FAMILY UNITS
PARCEL SIZE (ACRES)	6.04 AC TO 10.6 AC
PARCEL SIZE (SQUARE FEET)	FROM 16,207 TO 230,740
SEDCATCH	FRONT: 16/207; SIDEYARD: 5'; REARYARD: 15'
EXISTING ZONING	R-1 & R-2
EXISTING STRUCTURES/USES	NONE
EXISTING UTILITIES	WATER, GAS, AND SEWER
WATER PURIFIER	LIBERTY LAKE AND
SEWER	LIBERTY LAKE AND
DEVELOPABLE AREA	10.29 ACRES (0-1 ZONING)
DEVELOPABLE AREA	10.29 ACRES (0-1 ZONING)
DEVELOPABLE AREA	11.80 ACRES (0-2 ZONING)
GROSS DENSITY	4.79 LOTS/ACRE
NET DENSITY	4.79 LOTS/ACRE
PUBLIC ROAD DEDICATION	35' MAC
BUILDING HEIGHT	35' MAC
EXISTING SLOPES	15% TO 45% SLOPES
NATURAL FEATURES/CITICAL AREAS	15% TO 45% SLOPES
TOPOGRAPHIC INFORMATION	1.71 AC (7.4%)
ROADS IN ZONE	1.69 AC (6.9%)
ROADS IN ZONE R-1	NATURAL
ROADS IN ZONE R-2	LANDSCAPING

NOTES.

1. THE PROPERTY BOUNDARIES SHOWN ARE APPROXIMATE, SUBJECT TO SURVEY.
2. THE LOCATIONS AND WIDTHS OF ADJOINING RIGHT-OF-WAY IS APPROXIMATE.

CALL BEFORE YOU DIG 456-8000



Due to map scale, some streets may not be labeled.

This map is for informational purposes only and is not a legal document.

Comprehensive Plan Land Use Map


Amended Map Adopted - December 19, 2006

For information please contact
The City of Liberty Lake
Community Development Department
509-755-6708


Map Legend

 City of Liberty Lake	 Neighborhood Center Mixed Use
 UGA Boundary	 Community Center Mixed Use
 City of Spokane Valley	 Central Business District Mixed Use
 Parcels	 Community Commercial
 Streets	 Freeway Commercial
 Water Bodies	 Light Industrial
 Single Family Residential	 Public/ Semi-Public Institutional
 Mixed Residential	 Open Space/ Recreation
 Multi Family Residential	 Aesthetic Corridors & Boulevards

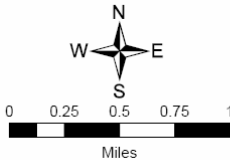
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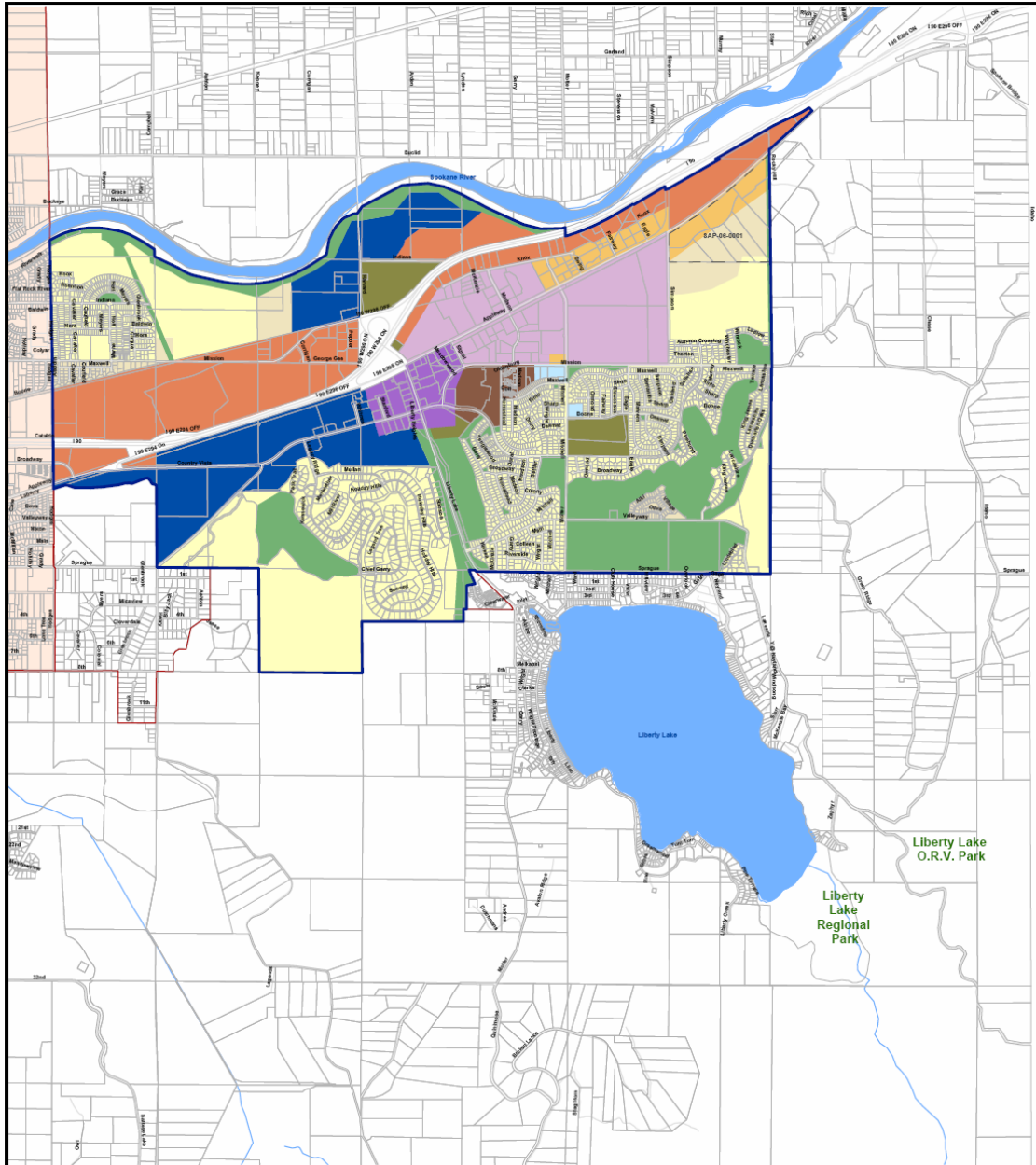


Map area is contained within
T 25 N, R 45 E, W.M.



Comprehensive Plan Land Use Map





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Zoning Map

Amended Map Adopted - December 19, 2006

For information please contact
The City of Liberty Lake
Community Development Department
509-755-6708

Map Legend

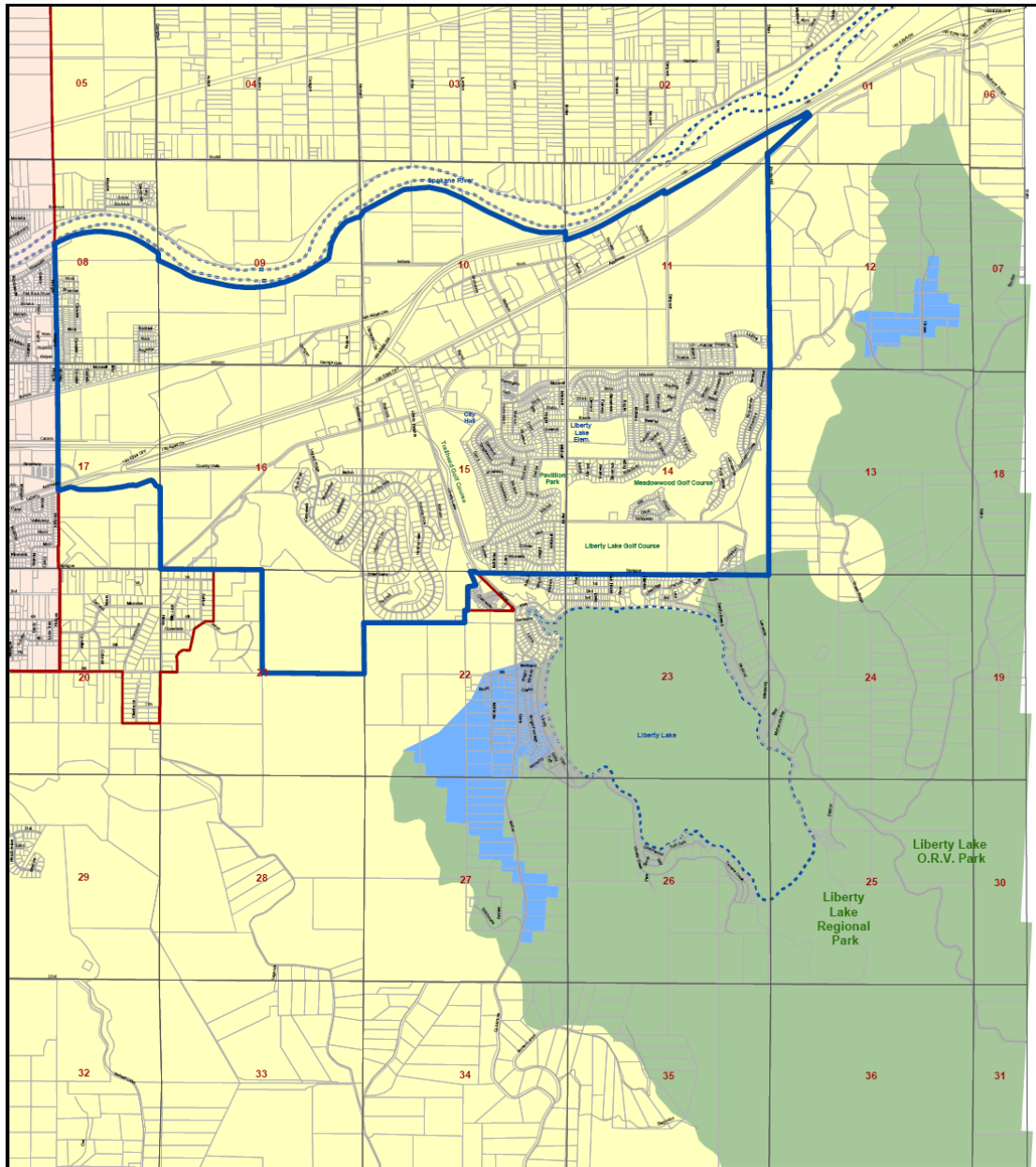
 City of Liberty Lake	 M-1
 UGA Boundary	 M-2
 City of Spokane Valley	 M-3
 Parcels	 C-1
 Streets	 C-2
 Water Bodies	 I
 R-1	 P
 R-2	 O
 R-3	

Map Location

Map area is contained within
T 25 N, R 45 E, W.M.

Zoning Map

Miles



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**Liberty Lake
Aquifer Susceptibility Map**

Map Updated - December 1, 2006

For information please contact
The City of Liberty Lake
Community Development Department
509-755-6708

Map Legend

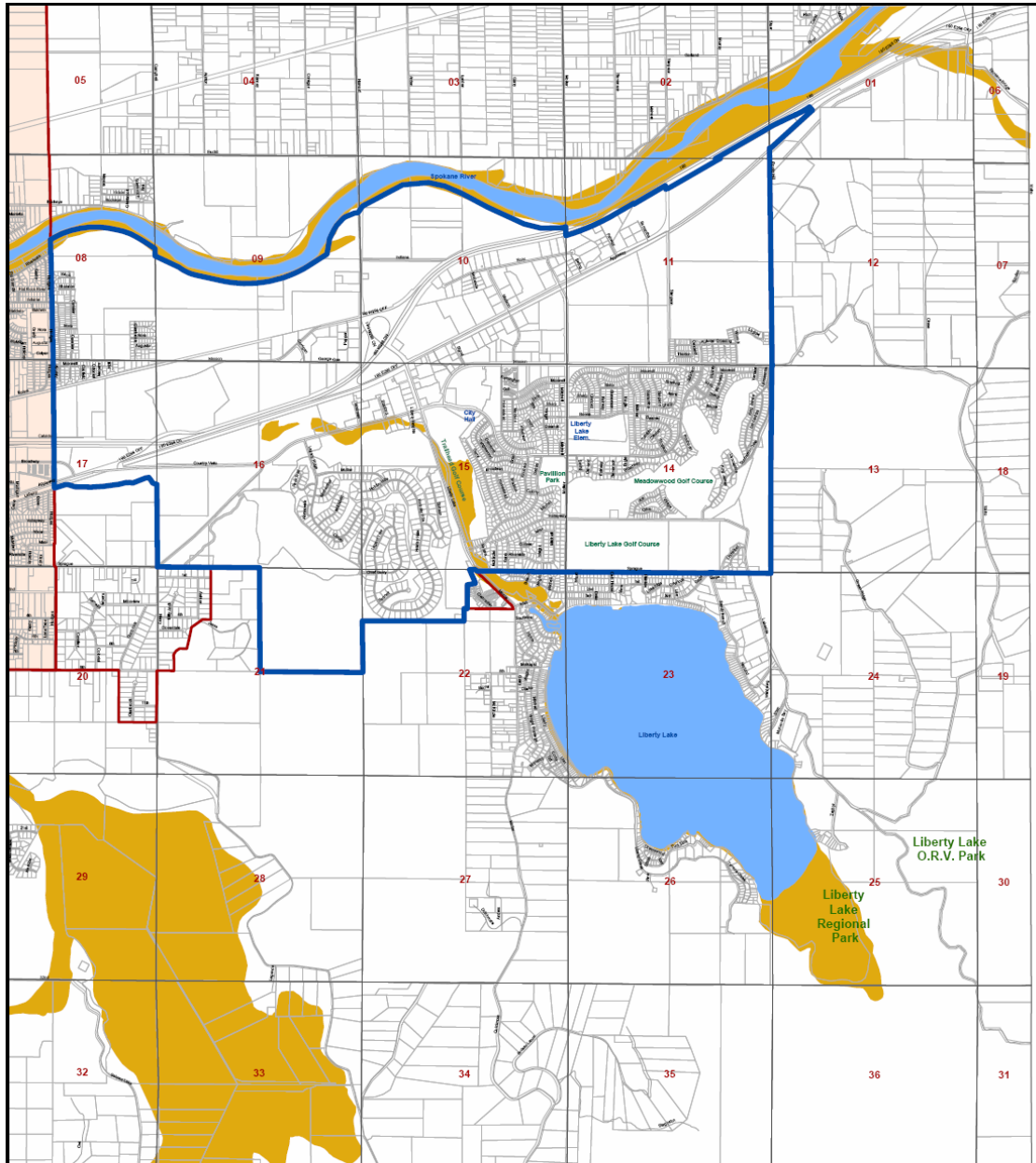
 City of Liberty Lake	 Parcels
 UGA Boundary	 Water Bodies
 City of Spokane Valley	Aquifer Susceptibility Areas
 Sections	 Critical Aquifer Recharge Area
 Streets	 Moderate Susceptibility
	 Low Susceptibility

Map Location

Map area is contained within
T 25 N, R 45 E, W.M.

Aquifer Susceptibility

Miles



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**Liberty Lake
Flood Hazard Areas Map**
Map Updated - December 1, 2006

For information please contact
The City of Liberty Lake
Community Development Department
509-755-6708

Map Legend

- | | |
|------------------------|------------------|
| City of Liberty Lake | Streets |
| UGA Boundary | Parcels |
| City of Spokane Valley | Water Bodies |
| Sections | FEMA Floodplains |

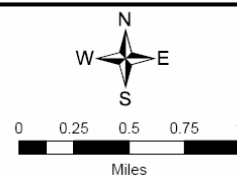
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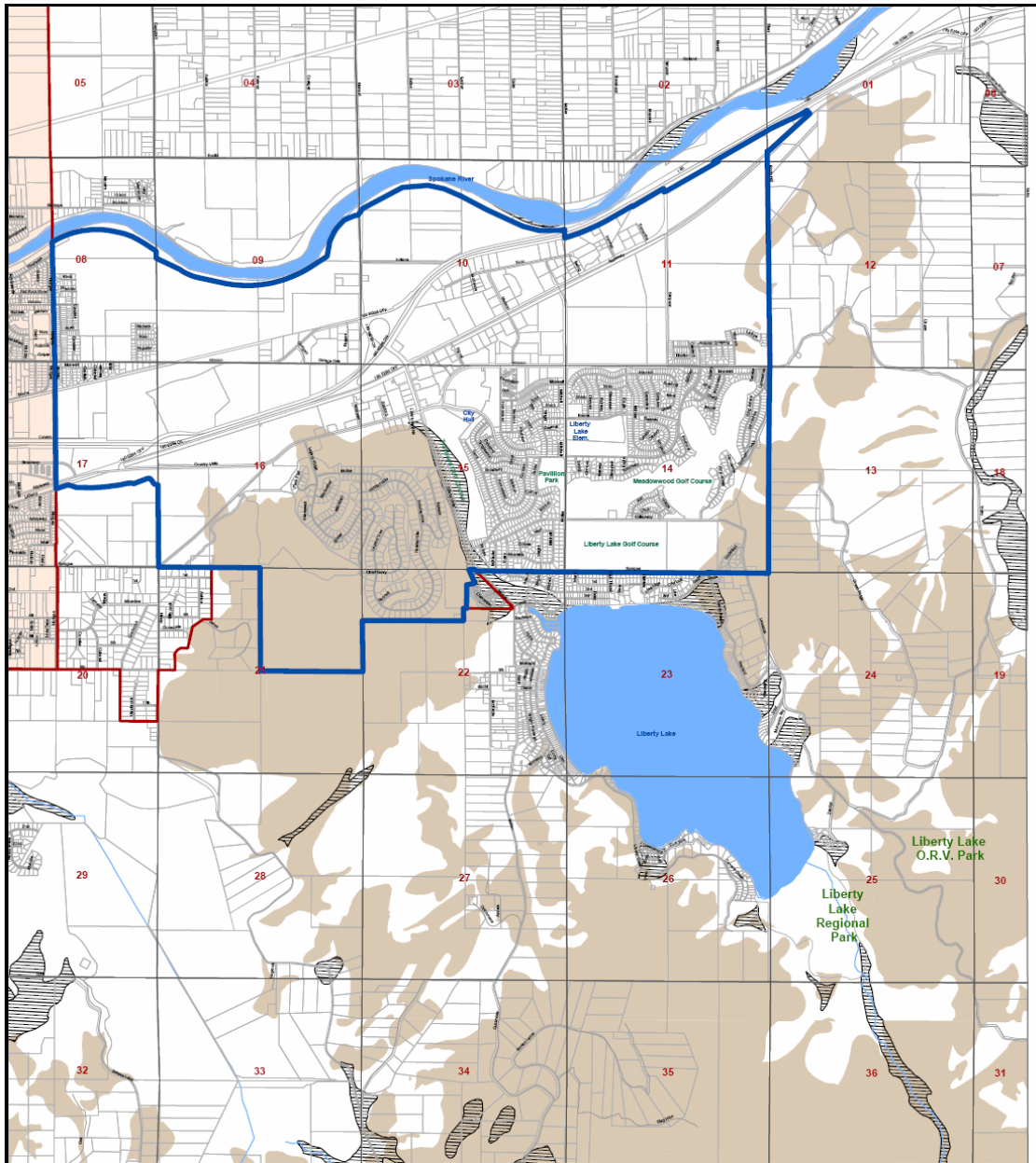


Map area is contained within
T 25 N, R 45 E, W.M.



Flood Hazard Areas





Due to map scale, some streets may not be labeled.

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Liberty Lake Geologic Hazards & Constraints Map

Map Updated - December 1, 2006

For information please contact
The City of Liberty Lake
Community Development Department
509-755-6708

Map Legend

- | | |
|------------------------|----------------|
| City of Liberty Lake | Streets |
| UGA Boundary | Parcels |
| City of Spokane Valley | Water Bodies |
| Sections | Erodible Soils |
| | Alluvium |

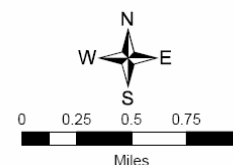
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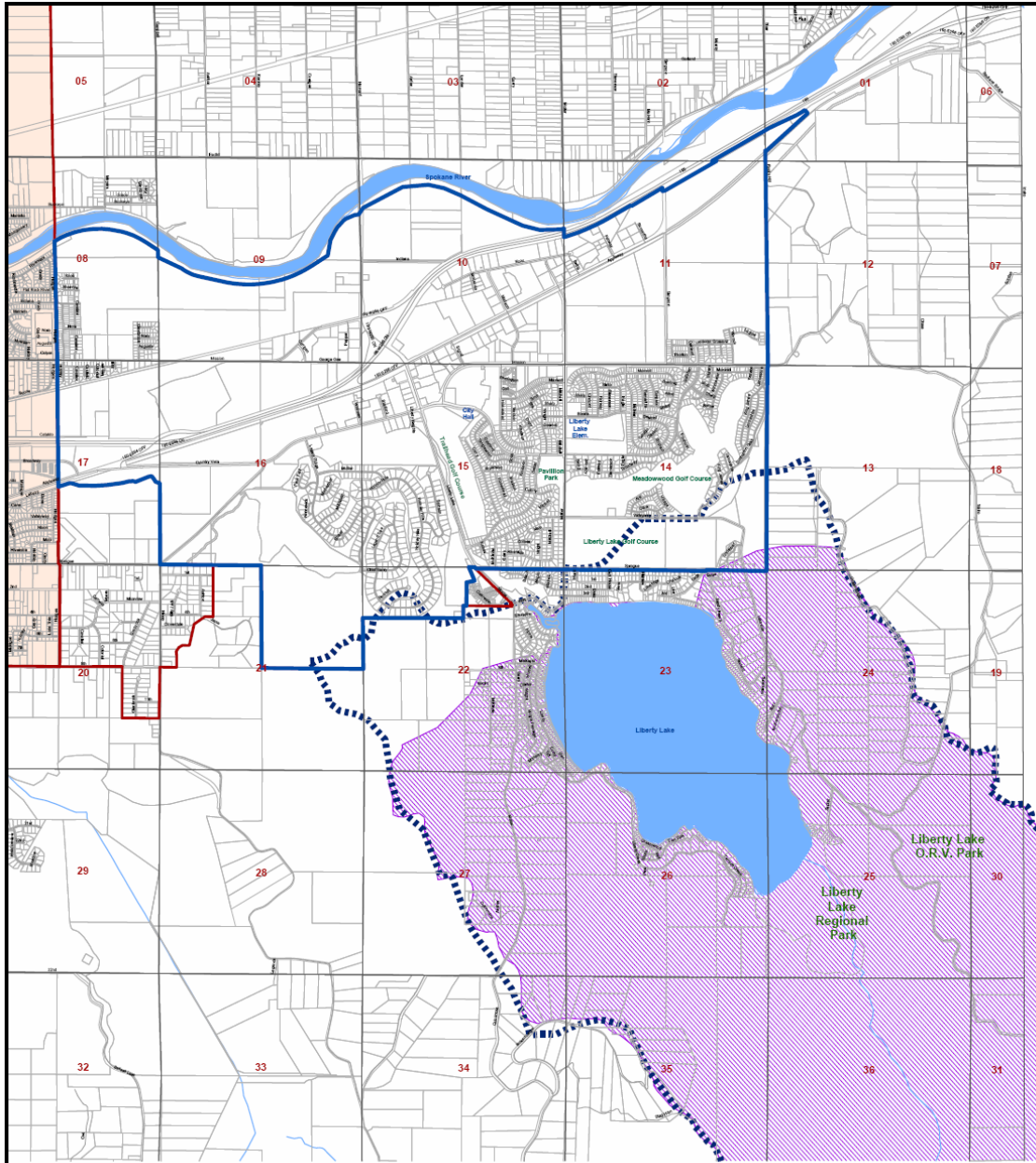


Map area is contained within
T 25 N, R 45 E, W.M.



Geologic Hazards & Constraints





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Liberty Lake Watershed Map

Map Updated - December 1, 2006

For information please contact
The City of Liberty Lake
Community Development Department
509-755-6708

- Map Legend**
- City of Liberty Lake
 - UGA Boundary
 - City of Spokane Valley
 - Sections
 - Streets
 - Water Bodies
 - Liberty Lake Watershed
 - USGS Topo Surface Drainage
 - LLSWD Designated Watershed Boundary

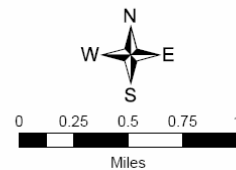
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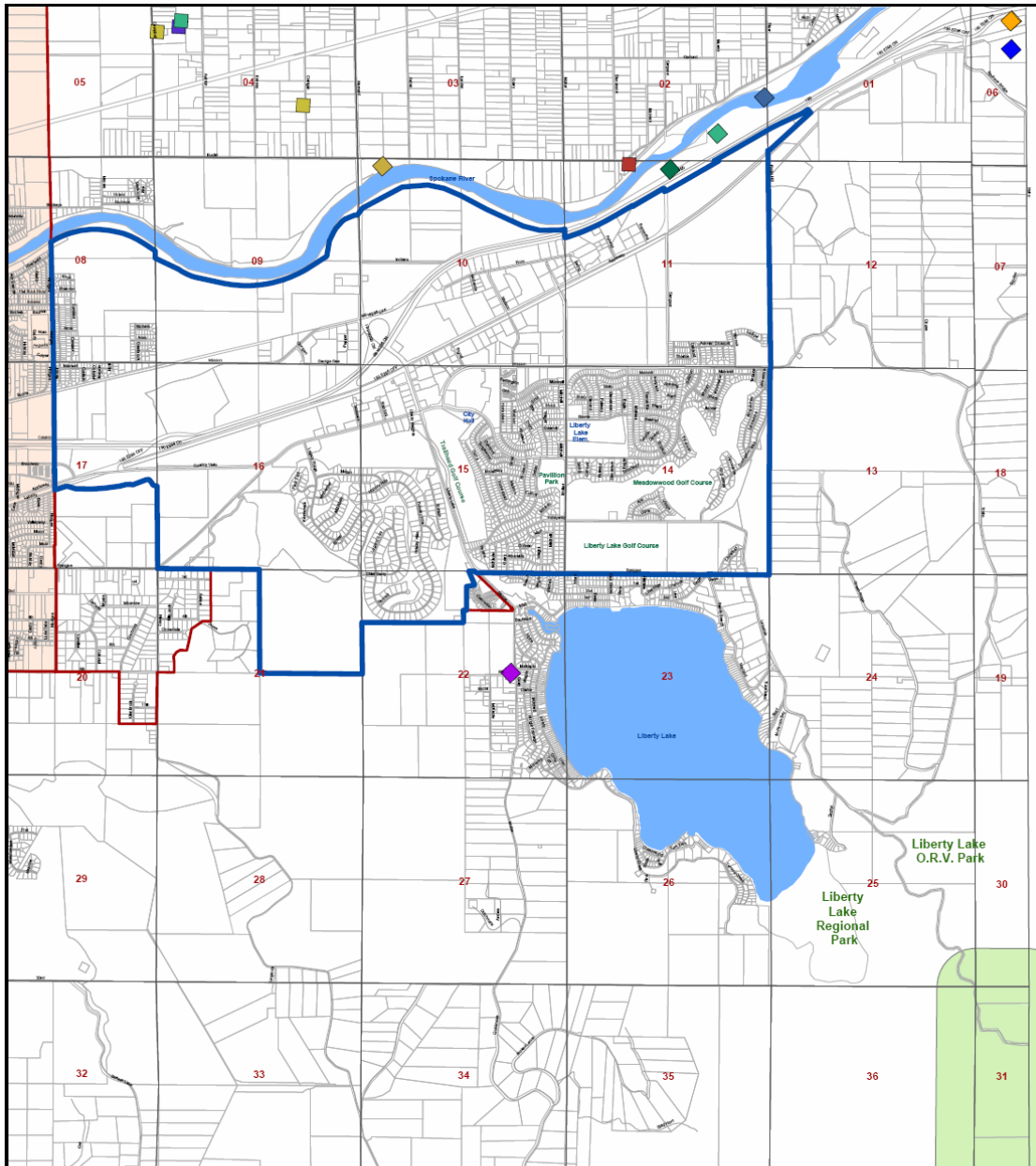


Map area is contained within
T 25 N, R 45 E, W.M.



Liberty Lake Watershed





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Liberty Lake Natural Resource Lands & Historic Sites Map

Map Updated - December 1, 2006

For information please contact
The City of Liberty Lake
Community Development Department
509-755-6708

- City of Liberty Lake
- UGA Boundary
- City of Spokane Valley
- Sections
- Streets
- Parcels
- Water Bodies
- Nat. Res. Land Notification Area

Map Legend

Existing Historic Sites Cultural & Historical Significance

- Barth House
- Barth Rock Windmill
- River Rock House
- River Rock House
- Seaton/Reis Home
- Liberts Cabin Site
- Coeur d'Alene Indian Burial Site
- Indian Council Area
- Horse Slaughter Campsite
- Horse Slaughter Site
- Indian Burial Ground
- Wright's Crossing Site
- Pringle Homestead

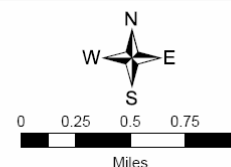
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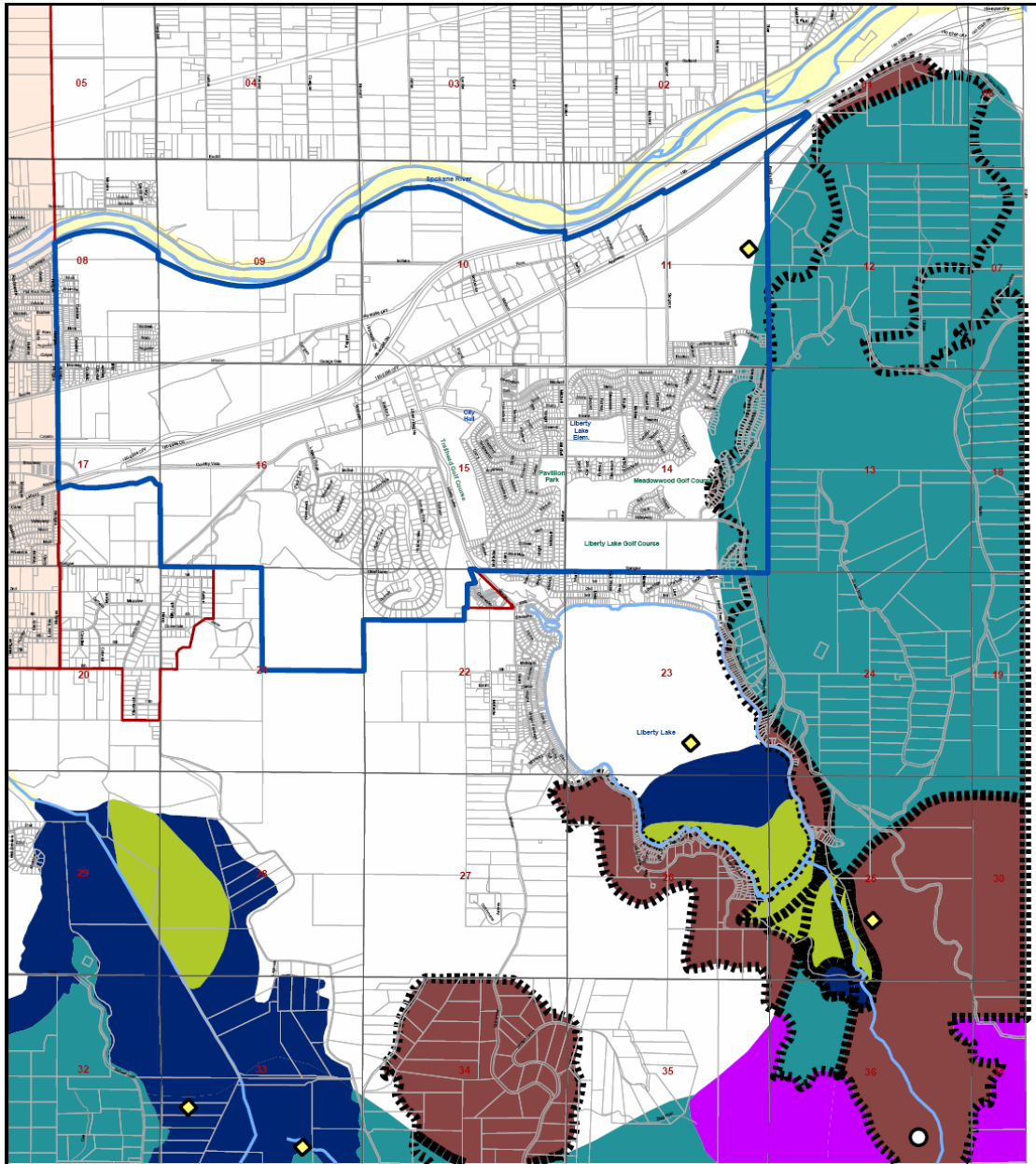


Map area is
contained within
T 25 N, R 45 E, W.M.



Natural Resource Lands & Historic Sites





Due to map scale, some streets may not be labeled.

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**Liberty Lake
Priority Habitats Map**

Map Updated - December 1, 2006

For information please contact
The City of Liberty Lake
Community Development Department
509-755-6708

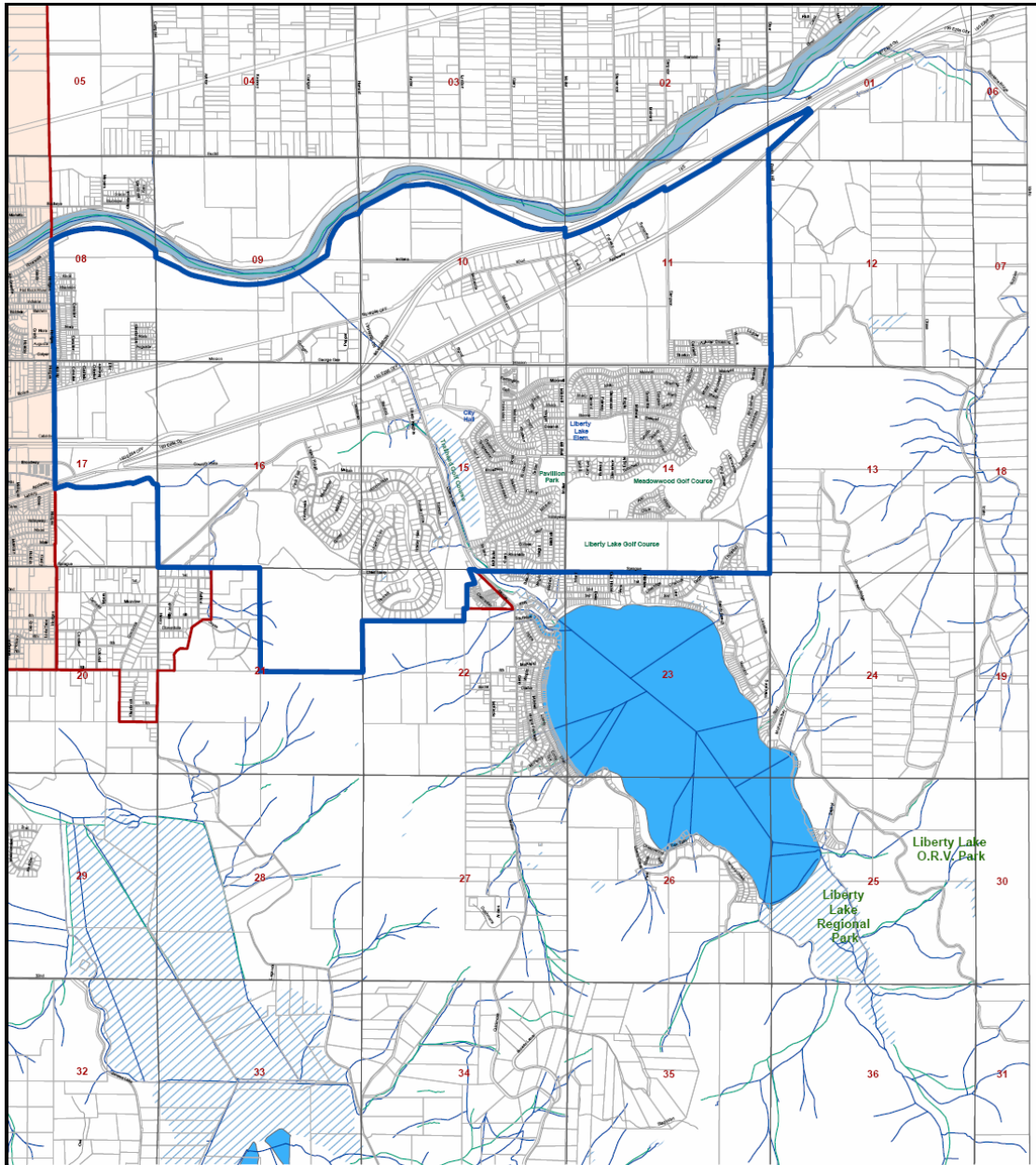
Map Legend

City of Liberty Lake	Primary Habitat
UGA Boundary	Elk Habitat
City of Spokane Valley	Moose Habitat
Sections	White Tailed Deer
Streets	Waterfowl
Parcels	Wetland Habitat
Water Bodies	Urban Natural Open Space
Monitored Species	Additional White Tailed Deer Habitat
Threatened Species	

Map Location

Map area is contained within
T 25 N, R 45 E, W.M.

Priority Habitats



Due to map scale, some streets may not be labeled.
 This map is for informational purposes only and is not a legal document.
Liberty Lake Wetlands Map
 Map Updated - December 1, 2006
 For information please contact
 The City of Liberty Lake
 Community Development Department
 509-755-6708

Map Legend

- | | |
|------------------------|-----------------|
| City of Liberty Lake | Wetlands |
| UGA Boundary | Permanent Lake |
| City of Spokane Valley | Permanent River |
| Sections | Seasonal Marsh |
| Streets | Wetland Streams |
| Parcels | DNR Streams |

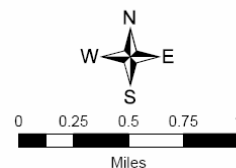
Map Location



Map area is contained within
 T 25 N, R 45 E, W.M.



Wetlands



ATTACHMENT C

SEPA CHECKLIST & THRESHOLD DETERMINATION



SEPA CHECKLIST

Liberty Lake Planning & Community Development
22710 E. Country Vista Blvd., Liberty Lake WA 99019
Phone: (509) 755-6707 Fax: (509) 755 6713
Website: www.libertylakewa.gov

P-07-0001
Liberty View
Villas Prelim.
Plat

City Development Code Article 10-6A, Environmental Ordinance

PURPOSE OF CHECKLIST

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impact from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NON-PROJECT PROPOSALS

Complete this checklist for non-project proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS (part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1.	Name of proposed project, if applicable: Liberty View Villas Preliminary Plat
2.	Name of applicant: Dave Largent, Ted Miller, Brian Main
3.	Address and phone number of applicant: 802 N. Washington Street, Suite 100, Spokane, WA 99201. Telephone: (509) 599-4455.
4.	Name of contact person: John Konen, Storhaug Engineering
5.	Address and phone number of contact person: 510 East Third Avenue, Spokane, WA 99202. Telephone: (509) 242-1000.0
6.	Date checklist prepared: 4/27.07
7.	Agency requesting checklist: City of Liberty Lake, Washington.
8.	Proposed timing or schedule (including phasing, if applicable): 2008
9.	<p>a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.</p> <p>Yes. The 12.81 acres zoned for open space may have future recreation activities per provisions of open space zone category. No specific plans or uses have been determined at this time.</p> <p>b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.</p> <p>No.</p>
10.	<p>List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.</p> <p>Critical Areas Issues in letter dated June 12, 2006, Biology Soil & Water, Inc.; Geotechnical Report dated March 10, 2006, Budinger & Associates. Follow-up letters dated 10/02/06 & 10/03/06, Biology Soil and Water, Inc. Preliminary drainage study, Storhaug Engineering. A geohazard evaluation is being prepared by Budinger & Associates.</p>
11.	<p>Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.</p> <p>None are known.</p>
12.	<p>List any government approvals or permits that will be needed for your proposal, if known.</p> <p>Preliminary plat, street and road plans including stormwater facilities, final drainage plans/study, grading and erosion control plans, access permits to Liberty Lake Drive, final plat, building permits for homes from City of Liberty Lake. Logging and tree removal, Department of Natural Resources and/or City of Liberty Lake.</p>

13. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The request for preliminary plat approval provides for 49 single-family residential lots to be developed in two phases on 10.29 acres of property zoned R-1. These lots range in size from approximately 6,000 sq. ft. (50' x 120') to approximately 19,500 sq. ft. in area. The typical residential lot is approximately 6,500 sq. ft. in area (50' x 130'). An Open Space/Recreation zoning designation applies to 12.81 acres of the property between the single-family development area and Liberty Lake Drive. As part of the plat submittal, a private road system meeting public road requirements has been extended through this open space area to serve the developable portion of the site that is zoned R-1. This road system is approximately 1,600 feet in length with a designated private road tract that utilizes approximately 1.7 acres of the designated open space area. An approximate 500 ft. long utility/access easement is proposed to extend south through this open space area to replace an existing easement used by Liberty Lake Sewer and Water District to serve an existing water tank south of the ownership. The private road system extends into the R-1 zoned area for an additional 1,800 feet in length utilizing approximately 1.6 acres of the R-1 designated area. The ownership consists of an irregular shaped parcel of 23.10 acres requiring 3.31 acres (or 14.3% of the total) for private roads to serve the developable area. To partially reduce the impacts of the private road system, 6 lots are primarily served by private driveways extending from the private road system.

14. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist.

The proposal is located on a portion of the S1/2 of Section 15, and a portion of the N1/2 of Section 22, Township 25 N., Range 45, E., WM, City of Liberty Lake, Spokane County, Washington. The project is situated along the hillside west of Liberty Lake Drive within the city limits of Liberty Lake, Washington. A complete legal description with maps and the preliminary plat exhibit accompanies this application.

15. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? (See: Spokane County's ASA Overlay zone Atlas for boundaries).

The project is located within the Aquifer Sensitive Area (ASA) and within the service area boundaries of Liberty Lake Sewer and Water District. The GSSA and the PSSA are not applicable to the project.

B. ENVIRONMENTAL ELEMENTS:

1. EARTH

- a. General description of the site (circle one): flat, rolling, hilly, steep slopes, mountainous, other:

The site has steep slopes. The submitted plat exhibit has been prepared on a topographic base with 5 ft.

contour intervals.	
b. What is the steepest slope on the site (approximate percent slope)?	Steeper slopes range from 15 to 50% per Budinger report.
<p>c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.</p> <p>Soil Conservation Service soil categories mapped on the site include Spokane very rocky complex (StC) and (StE) and Spokane extremely rocky complex (SuE). These are shallow silt loam soils over granite rock and granite rock outcrops. Budinger & Associates provided a "Geotechnical Report" for the project area dated March 10, 2006, as part of field exploration and test holes to evaluate drainage and road cut options. A copy of this report is included in the submittal</p>	
<p>d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.</p> <p>There are no surface indications or history of unstable soils in the immediate vicinity. A geotechnical report prepared by Budinger and Associates accompanies the application. A specific geohazard report for the envisioned project is being prepared by Budinger and Associates. <i>Received 5/23/07 mmj</i></p>	
<p>e. Describe the purpose, type and approximate quantities of any filling or grading proposed. Indicate source of fill.</p> <p>Grading and filling will be utilized for road construction, utility installations, drainage facilities, access driveways, and building pads. The amount of cut and fill required to accomplish the completed project including home sites is estimated by Storhaug Engineering at 150,000 cubic yards. Somewhat less cut and fill will be required if retaining walls are used in select areas. Final engineering design of the proposal will seek to balance cut and fill on the site to reduce the amount of material required to be imported or exported from the site. Imported material will include gravel for bedding roads, utilities and other construction, concrete for installation of curbs, sidewalks, foundations, and driveways, and asphalt required to surface roads to public road standards. The import of construction materials is unavoidable.</p>	
<p>f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.</p> <p>Clearing, grading and construction on the site will create the potential for erosion. An erosion control plan will be designed, engineered and approved for the project prior to commencement of construction activities. The erosion control plan and construction techniques will comply with City of Liberty Lake standards.</p>	
<p>g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?</p> <p>Approximately 25 to 30% (6.7 acres) of the ownership will be covered with impervious surface areas including paved roads, driveways, walkways and roof areas of structures.</p>	
<p>h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:</p> <p>An erosion control plan complying with City of Liberty Lake standards will be submitted, reviewed and approved prior to construction activities on the site. All cut and fill areas will be stabilized per recommendations of a geotechnical engineer for the project area. Design features may include use of</p>	

<p>engineered retaining walls at certain locations. A storm water drainage plan will be engineered, reviewed and approved to accommodate, treat and dispose of storm water runoff. Water will be applied to disturbed areas during construction to reduce dust emissions per Spokane County Air Pollution Control Authority requirements. Provisions will be made to reduce mud and dirt tracking of adjoining public roadways during the construction phases of the project. It is anticipated that the project will be implemented in phases to reduce the amount of area disturbed during any particular phase. Disturbed slope areas not occupied by buildings or formal landscaping will be re-seeded with appropriate vegetative cover that blends into the natural environment retained on site.</p>
<p>2. AIR</p>
<p>a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities, if known.</p> <p>Some dust emissions will occur from logging and clearing activities, road, drainage and utility construction/installations, and operation of equipment on the site in conjunction with homebuilding activities. This is a single family residential project that is not expected to produce odors or industrial emissions. Space heating needs will be provided primarily by natural gas; usage of wood fireplaces, stoves and BBQ grilles will be confined to amenity enjoyment associated with completed housing units. Automobile trip generation is estimated at 490 AWT to serve 49 single family homes. It is anticipated that automobiles will comply with legislated emission standards.</p>
<p>b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.</p> <p>None are known. The site is approximately 1 mile south of Interstate 90.</p>
<p>c. Proposed measures to reduce or control emissions or other impacts to air, if any:</p> <p>Project construction will comply with Spokane County Air Pollution Control Authority requirements together with submitted and approved erosion control plans. Zoning regulations and protective covenants will assure that the completed residential project will not allow activities that create a potential for non-residential emissions and odors.</p>
<p>3. WATER</p>
<p>a. Surface:</p>
<p>1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.</p> <p>Although a D.N.R. stream is mapped on the site, an extensive investigation by Larry Dawes, Biology, Soil and Water Inc. concludes that there are "no jurisdictional wetlands or jurisdictional streams on the subject property." (October 2, 2006). The Hearing Examiner for Liberty Lake found that "the intermittent stream issue is not an issue and not an impairment to the development of the site" in his recommendation of October 18th, 2006 for the previous proposal of P-06-0001. Liberty Lake Road separates the property from a former canal and outlet to Liberty Lake on the east side of the road. The Liberty Lake water body is approximately ½ mile southeast of the site.</p>

<p>2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.</p> <p>The entry road to the project extends west and south from Liberty Lake Drive. The project will not require any work over, in or adjacent to the outlet canal for Liberty Lake because of the existing arterial road between the project and the canal. Portions of the canal may be within 200 feet of the property, but outside of the jurisdictional boundary.</p>
<p>3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.</p> <p>None. Not applicable.</p>
<p>4) Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.</p> <p>No. There are no water bodies on the site. This is a residential project to be served by public water.</p>
<p>5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.</p> <p>No.</p>
<p>6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.</p> <p>No direct discharge. This is a 49-unit single family residential project to be served by Liberty Lake Sewer and Water District. The sewer district collects, processes and discharges the treated wastewater into the Spokane River near Harvard Road. The completed project will contribute less than 20,000 gallons of sewage to the existing system on a daily basis.</p>
<p>b. Ground:</p>
<p>1) Will groundwater be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.</p> <p>No. The 49 single family residential lots will be connected to a public water system, Liberty Lake Sewer and Water District, which serves the area. Depending on irrigation practices and seasonal use, the project will require between 20,000 and 60,000 gallons of domestic water delivered each day.</p>
<p>2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable), or the number of persons the system(s) are expected to serve.</p> <p>All sanitary waste will be discharged into the available public sewer system, Liberty Lake Sewer and Water District. The sewer line extensions will ultimately serve 49 single family homes within the project.</p>
<p>3) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (including systems such as those for the disposal of storm water or drainage from floor drains). Describe the type of system, the amount of</p>

<p>material to be disposed of through the system and the types of materials likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of fire fighting activities).</p> <p>Overflow storm water events will be collected in the private street system, channeled and piped to properly sized storm water detention areas for treatment in grassy swale areas, then overflowed into a system of drywells at the base of the hill in accordance with the conceptual storm water plan prepared by Storhaug Engineering. A geotechnical report by Budinger and Associates locates adequate gravel areas at the base of the hill that are suitable for discharge of storm water below the ground surface. A specific storm water design and plan will be designed and engineered for submittal to the City of Liberty Lake for approval as part of the numerous engineering submittals required prior to construction and final plat approval. <i>Must comply with City Development Code Sec. 10-3H</i></p>
<p>4) Will any chemicals (especially organic solvents or petroleum fuels) be stored in above-ground or underground storage tanks? If so, what types and quantities of materials will be stored?</p> <p>No. This is a single-family residential project.</p> <p><i>Stormwater Management</i> <i>CMO</i></p>
<p>5) What protective measures will be taken to ensure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater (this includes measures to keep chemicals out of disposal systems described in 3b(2) and 3b(3)?</p> <p>None proposed. See above response.</p>
<p>c. Water Runoff (including storm water)</p>
<p>1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.</p> <p>The hillside allows natural storm water events from the site and the ownerships uphill and west of the site to infiltrate into the shallow soils or make its way downhill across the surface to the base of the hill where the deeper soils allow more infiltration. Development of the site will allow additional surface water runoff will come from paved roadway surfaces, roofs of new homes, and installed driveways/parking areas (impervious surface areas). Overflow storm water events will be collected in the private street system, channeled and piped to properly sized storm water detention areas for treatment in grassy swale areas, then overflowed into a system of drywells at the base of the hill in accordance with the conceptual storm water plan prepared by Storhaug Engineering. A geotechnical report by Budinger and Associates identifies and locates adequate gravel areas at the base of the hill that are suitable for discharge of storm water below the ground surface, usually in the form of drywells. A specific storm water design and plan will be designed and engineered for submittal to the City of Liberty Lake for approval as part of the numerous engineering submittals required prior to construction and final plat approval.</p>
<p>2) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a storm water disposal system discharging to surface or groundwater?</p> <p>No. This is a single-family residential project of 49 homes. It is not anticipated that chemicals will be stored, handled or used in conjunction with single-family home activities.</p>

<p>3) Could waste materials enter ground or surface waters? If so, generally describe.</p> <p>No. See above response.</p>
<p>d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any (if the proposed action lies within the Aquifer Sensitive Area be especially clear on explanations relating to facilities concerning Sections 3b(4), 3b(5), and 3c(2) of this checklist).</p> <p>The storm water collection, treatment and disposal system that will be designed to comply with City of Liberty Lake storm water standards is intended to reduce and control runoff water impacts. The project will be served by the public sewer and water that serves other homes and activities in the area.</p>
<p>4. PLANTS</p>
<p>a. Check types of vegetation found on the site:</p> <p><input checked="" type="checkbox"/> deciduous tree: alder, maple, aspen, other</p> <p><input checked="" type="checkbox"/> evergreen tree: fir, cedar, pine, other</p> <p><input checked="" type="checkbox"/> shrubs</p> <p><input checked="" type="checkbox"/> grass</p> <p><input type="checkbox"/> pasture</p> <p><input type="checkbox"/> crop or grain</p> <p><input type="checkbox"/> wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other</p> <p><input type="checkbox"/> water plants: water lily, eelgrass, milfoil, other</p> <p><input type="checkbox"/> other types of vegetation:</p>
<p>b. What kind and amount of vegetation will be removed or altered? <i>Must comply with City Development Code Sec. 10-3C-2,</i></p> <p>Vegetation will be removed from approximately 14-acres (61%) of the ownership to accommodate the road and utility infrastructure together with future building pads required to serve the 49-lot single family project. The established hillside vegetation consists of Ponderosa pines and other evergreens, deciduous trees, shrubs and grasses. Approximately 35% of the vegetative cover within the designated open space area will remain undisturbed by construction activities. Approximately 5 acres or 40% of the open space site will be re-vegetated upon completion of construction.</p>
<p>c. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:</p> <p>Although some tree cover may be retained within platted single-family lots, it is anticipated that most homesites will be planted with lawn and ornamental plant materials. Approximately 5 acres or 40% of the open space site will be re-vegetated upon completion of construction. Efforts will be made to utilize</p>

(m)
Landscape Conservation

native plants and materials to enhance and complement the existing natural cover. A 7 ft. wide formal landscape strip is required on each side of the private road system extending through the open space designated area to provide access to the single-family residential area. This strip comprising about 1/3rd acre of the open space portion of the site normally requires formal landscape treatment with installed sprinkler system.

See pg. 8

5. ANIMALS

a. Check any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: ☒ hawk ☐ heron ☐ eagle ☒ songbirds ☐ other:

mammals: ☒ deer ☐ bear ☐ elk ☐ beaver ☐ other:

fish: ☐ bass ☐ salmon ☐ trout ☐ herring ☐ shellfish ☐ other:

b. List any threatened or endangered species known to be on or near the site.

None are known.

c. Is the site part of a migration route? If so, explain.

No.

d. Proposed measures to preserve or enhance wildlife, if any:

Approximately 11 acres or 47% of the ownership will be retained as designated open space after completion of construction activities and formal platting of the property. Most of this area situated in the "Open Space" zone category will be retained in natural cover affording an inventory of wildlife habitat. The "Open Space" zone category also allows a limited number of recreational activities and future utilization of this area for such activities. These open space tracts designated on the final plat will be retained in private ownership to provide for future recreational development options.

6. ENERGY AND NATURAL RESOURCES

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electricity and natural gas will be used for lighting and heating purposes for the single-family homes. It is not anticipated that wood stoves or solar energy will be used to provide a share of the project's energy needs.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No. The single-family residential portion of the project is well removed from other residential developments with open space to the east and open space to the west.,

c. What kinds of energy conservation features are included in the plans of this proposal? List other

<p>proposed measures to reduce or control energy impacts, if any:</p> <p>The building construction phase of the project will comply with applicable energy codes and building requirements.</p>	
7.	ENVIRONMENTAL HEALTH
<p>a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.</p> <p>No. This is a single-family residential project. During the construction phase of the project, explosives may be used to facilitate excavation of rock.</p>	
<p>1) Describe special emergency services that might be required.</p> <p>No special emergency services are anticipated. This is a single-family residential project.</p>	
<p>2) Proposed measures to reduce or control environmental health hazards, if any:</p> <p>The project will comply with applicable safety standards during construction. Residential construction will comply with building and fire codes. Utility installations will include fire hydrants and availability of water for fire protection.</p>	
b. Noise	
<p>1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?</p> <p>The site is partially impacted by traffic noise from Liberty Lake Road and human activities in residential areas to the east of the property.</p>	
<p>2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.</p> <p>Short term noise will occur during project construction from construction vehicles and other construction activities. Long term noise will consist of minor residential traffic noise from local streets and human activities associated with households.</p>	
<p>3) Proposed measure to reduce or control noise impacts, if any:</p> <p>Construction activities will be limited to daytime shifts. Residential housing has quality insulation that not only improves energy efficiency but also dampens outside noise.</p>	
8.	LAND AND SHORELINE USE
<p>a. What is the current use of the site and adjacent properties?</p> <p>The site is currently a vacant hillside with natural vegetation. Surrounding uses include condominium apartments, single family homes, and a golf course to the north, a quality residential development and</p>	

open space area to the north and west, and a water tank storage structure and open areas to the south.	
b. Has the site been used for agriculture? If so, describe.	No. The site has not been cultivated, but may have been used for timber production and pasture.
c. Describe any structures on the site.	There are no existing structures on the site.
d. Will any structures be demolished? If so, which?	No. There are no existing structures on the site.
e. What is the current zoning classification of the site?	"R-1" Single Family and "O" Open Space/Recreation.
f. What is the current Comprehensive Plan land use designation of the site?	Single Family and Open Space/Recreation
g. If applicable, what is the current shoreline master program designation of the site?	No applicable.
h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.	Soils for most of the site have been listed by Liberty Lake as being highly erodible. The presence of other critical areas has been addressed in reports by Biology, Soil and Water, Inc. (previously referenced) and in the Geotechnical Report of Budinger & Associates (previously referenced).
i. Approximately how many people would reside or work in the completed project?	The completed project of 49 single-family homes would allow 90 to 120 people to reside within the new housing area.
j. Approximately how many people would the completed project displace?	None.
k. Proposed measures to avoid or reduce displacement impacts, if any:	None proposed. The project will be built as housing market demands dictate.
l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:	The project will be designed and constructed in accordance with applicable zoning, building, and development codes and maps adopted by the City of Liberty Lake. The Hearing Examiner decision of April 18 th , 2006 in response to an earlier submittal found that single-family homes and their respective lots should be confined to that portion of the site designated Single-Family and no homes or lots should

<p>be placed within the area designated Open Space/Recreation. The current submittal delineates the zoning boundary from available mapping information and development is allocated accordingly. The R-1 zone "dictates a density of at least 4 units per acre". The submittal provides for a net density of 5.64 dwelling units per acre and a gross density of 4.76 units per acre within the R-1 designated zone. Furthermore, the private street system meeting public street standards has been designed to meet City of Liberty Lake requirements. The project is phased to conform to a fire department requirement that confines development to 29 lots without benefit of a second access. When a second access is available, 20 additional lots will be added to the inventory for Phase 2.</p>
<p>9. HOUSING</p>
<p>a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.</p> <p>The completed project will provide 49 upper middle income units.</p>
<p>b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.</p> <p>None.</p>
<p>c. Proposed measures to reduce or control housing impacts, if any:</p> <p>The project will be constructed as market demand dictates. The proposal will offer an inventory of 49 additional single family home units to the City of Liberty Lake. These units will provide amenities and housing values that characterize other housing options in the Liberty Lake area.</p>
<p>10. AESTHETICS</p>
<p>a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?</p> <p>Houses will be constructed 2 to 3 stories in height not exceeding 35 ft.</p>
<p>b. What views in the immediate vicinity would be altered or obstructed?</p> <p>The hillside project is somewhat isolated by open space and no views in the immediate vicinity will be altered or obstructed. The existing residences to the west will have a clear view over the rooftops of the new homes. The existing residences and condominiums to the east will look uphill across an approximate 300 ft. wide open space buffer that helps shelter the new homes.</p>
<p>c. Proposed measures to reduce or control aesthetic impacts, if any:</p> <p>An approximate 300 ft. wide open space buffer will separate the existing single family homes and condominium apartments from the new housing units. These new homes will be landscaped with lawns and ornamental plants. The streetscape leading up to the new housing area will feature landscape treatments between the curb and the sidewalk.</p>
<p>11. LIGHT AND GLARE</p>

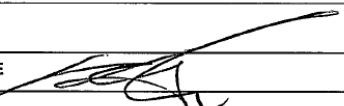
<p>a. What type of light or glare will the proposal produce? What time of day would it mainly occur?</p> <p>Lighting will be produced by window areas of single-family homes and security lighting of exteriors. The private street system leading from Liberty Lake Drive up the hill to the housing area, including the street system serving the new lots will have a street lighting system installed to provide additional safety at night for cars and for pedestrians on the sidewalk system.</p>
<p>b. Could light or glare from the finished project be a safety hazard or interfere with views?</p> <p>No. None is anticipated.</p>
<p>c. What existing off-site sources of light or glare may affect your proposal?</p> <p>No off-site lighting or glare is anticipated that would affect this project.</p>
<p>d. Proposed measures to reduce or control light and glare impacts, if any:</p> <p>Lighting standards will employ the use of down-lighting and fixtures will comply with City of Liberty Lake standards.</p>
<p>12. RECREATION</p>
<p>a. What designated and informal recreational opportunities are in the immediate vicinity?</p> <p>The project is near an existing pathway/trail system, open space areas, golf courses, and water bodies that can provide both formal and informal recreation opportunities. The City of Liberty Lake operates a major urban park approximately ½ mile northeast of the project.</p>
<p>b. Would the proposed project displace any existing recreational uses? If so, describe.</p> <p>No formal recreation uses will be displaced. The undeveloped 23.10 acre parcel has provided an inventory of open space for the pleasure of adjacent neighbors.</p>
<p>c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:</p> <p>Approximately 12.8 acres of the site will remain in the Open Space/Recreation category as an inventory of open space for the visual pleasure, but not necessarily the use, of adjacent neighbors. The remaining parcel of 10.29 acres (Approximately 45% of the ownership) will be developed for single-family homes. The Open Space/Recreation site will be divided into 2 future ownership tracts to allow for the potential application of Open Space/Recreational uses at a later time.</p>
<p>13. HISTORIC AND CULTURAL PRESERVATION</p>
<p>a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers, known to be on or next to the site? If so, generally describe.</p> <p>None are known.</p>
<p>b. Generally describe any landmarks or evidence of historic, archaeological, scientific or cultural</p>

<p>importance known to be on or next to the site.</p> <p>None are known to exist at this location.</p>
<p>c. Proposed measures to reduce or control impacts, if any:</p> <p>If artifacts are discovered during excavation, the City of Liberty Lake will be notified.</p>
<p>14. TRANSPORTATION</p>
<p>a. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on site plans, if any.</p> <p>The site will be served by Liberty Lake Drive, a collector-arterial serving the Liberty Lake community. A private street system will connect to Liberty Lake Drive at the northwest corner of the ownership. Provisions are made in the design to allow private street, utility or fire lane connections to other properties to the south and west.</p>
<p>b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?</p> <p>No. The nearest public transportation is about ¾ miles north on Liberty Lake Drive.</p>
<p>c. How many parking spaces would the completed project have? How many would the project eliminate?</p> <p>The development code requires at least 2 off-street parking spaces per single-family residence. The project will provide at least 98 off-street parking spaces. The use of garages with residences will probably add an additional 50 to 100 off-street parking spaces to the project area.</p>
<p>d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).</p> <p>The proposal will provide for a new private street system designed and constructed to public road standards together with private driveways that will serve 6 residential lots.</p>
<p>e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.</p> <p>No.</p>
<p>f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.</p> <p>Approximately 490 new vehicular trips will be added to the Average Weekday Traffic (AWT) each day. The A.M. peak hour trips will be approximately 40 new trips and the P.M. peak hour trips will be approximately 50 trips. (Based on ITE Trip Generation, Land Use Category 210.) It is anticipated that 90% of these trips will use Liberty Lake Drive north of the project entrance and 10% of these trips will use Liberty Lake Drive south of the project entrance.</p>

<p>g. Proposed measures to reduce or control transportation impacts, if any: <i>Participation in Harvard Rd. mitigation plan</i></p> <p>The design and construction of the project will comply with City of Liberty Lake construction standards, including the private road system designed to public road standards with adequate cul-de-sacs for fire and emergency vehicles. Provisions are made in the design for second road and utility access points to properties to the west and to the south of the project. The project will be limited to 29 residences until the second access system is put in place. The project will contribute to traffic mitigation fees to improve the arterial road system and Interstate 90 interchange for the Liberty Lake area.</p>
<p>15. PUBLIC SERVICES</p> <p>a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.</p> <p>The project will result in incremental demands for public services, such a fire protection, police protection, and schools.</p> <p>b. Proposed measures to reduce or control direct impacts on public services, if any.</p> <p>The new residences will be assessed to pay property taxes to the numbers governmental districts serving the area, including the City of Liberty Lake, Central Valley School District, and Fire District #1. In addition, the construction activities generate review and permit fees, sales taxes and assigned mitigation fees. Additional revenues are collected from utility and use taxes/fees fees, including allocations from the State of Washington. The homeowner's within the project will pay for the upkeep and maintenance of the private street system serving their homes, eliminating this cost to the City for maintenance and upkeep. Generally, new tax revenues will offset incremental demand for public services.</p>
<p>16. UTILITIES</p> <p>a. Check utilities currently available at the site:</p> <p><input checked="" type="checkbox"/> electricity <input checked="" type="checkbox"/> natural gas <input checked="" type="checkbox"/> water <input checked="" type="checkbox"/> refuse service <input checked="" type="checkbox"/> telephone <input checked="" type="checkbox"/> sanitary sewer</p> <p><input type="checkbox"/> septic system <input type="checkbox"/> other:</p> <p>b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.</p> <p>Electricity and natural gas will be provided to the site by Avista Utilities. Water and sanitary sewer will be provided by Liberty Lake Sewer and Water District. Telephone, internet, cable service will be provided by Quest and/or other communication providers. Refuse service is franchised by the City of Liberty Lake. These utilities will be extended to the site from immediate supply points and installed with road and various utility installations.</p>

C. SIGNATURE

I, the undersigned, swear under the penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any determination of non-significance that it might issue in reliance upon this checklist.

Proponent: Dave Largent, Ted Miller and Brian Main				
PRINT NAME		SIGNATURE 		
Proponent Address: 802 N. Washington Street, Suite 100, Spokane, Washington 99201				
STREET ADDRESS		CITY	STATE	ZIP
Proponent Phone: 509-599-4455		Proponent Fax: 509-561-0819		
Person completing the form: John Konen/Storhaug Engineering, Inc.				
Phone: 509-242-1000; fax: 509-242-1001		Date: 4/27/06		

FOR PLANNING & COMMUNITY DEVELOPMENT USE ONLY

Staff Member(s) Reviewing Checklist: *Many Wren-Wilson*

Date Checklist Reviewed *5-29-07*

Based on this staff review of the environmental checklist and other pertinent information, the staff:

- A. Concludes that there are no probable significant adverse impacts and recommends a determination of nonsignificance (DNS).
- ☒ B. Concludes that probable significant adverse environmental impacts do exist for the current proposal and recommends a mitigated determination of nonsignificance with conditions (MDNS).
- C. Concludes that there are probable significant adverse environmental impacts and recommends a determination of significance (DS).

REFER TO FEE SCHEDULE FOR FILING FEE

NON-PROJECT ACTIONS MUST ALSO COMPLETE THE SUPPLEMENTAL SHEET - PART D

MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

Proposal File #: P-07-0001 **Zoning:** R-1 & O
Proposal: Liberty View Villas Preliminary Plat
Proposal Description: Subdivision to create 49 single family lots in the R-1 Zone, 2 open space tracts in the O Zone, & 2 tracts for the private street system serving the project
General Location: W. of Liberty Lake Rd. & Settler Drive
Owner: Flophouse, LLC (Brian Main) **Phone:** 509-599-4455
Contact: Storhaug Engineering (John Konen) **Phone:** 509-242-1000
MDNS Determination Issued: 7/10/07 **Appeal Closing Date:** 4pm, 7/24/07

LEAD AGENCY: CITY OF LIBERTY LAKE

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment; provided the applicant complies with the mitigation measures listed below and the attached conditions. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. The complete record in this matter is on file during the appeal period with the review authority listed below and is available to the public upon request.

- ☒ There is no comment period for this MDNS; pursuant to WAC 197-11-350 (1).
- ☐ This MDNS is issued under WAC 197-11-350 (2); the lead agency will not act on this proposal for at least 14 days from the date issued (below). Comments must be received by: _____, if they are intended to alter the MDNS.

MITIGATING MEASURES:

In addition to the plans and specifications submitted for permit and SEPA review, the following mitigation is required:

1. Participation in the Harvard Rd. Mitigation Plan and any other impact fees, such as that for schools, parks, etc., approved by the City Council, consistent with the City of Liberty Lake's Comprehensive Plan, shall be paid upon issuance of building permits for this project.
2. Prior to final plat submittal, the applicant shall supply a traffic analysis for Liberty Lake Rd. to demonstrate adequate sight distance availability at the proposed intersection of Liberty Lake Rd. and "Liberty View Lane." Off-site improvements may be required by the City of Liberty Lake to mitigate traffic problems and increase pedestrian circulation.
3. The final plat shall comply with the City Development Code Chapter 6, Environment, specifically as related to critical areas and any form of potential disturbance to critical areas shall be reviewed and mitigated as required by Chapter 6.
4. Development of the site shall comply with the City Development Code Section 10-3C-2, Landscape Conservation. Mapping of trees within right-of-way and critical areas shall be required at time of final plat civil plan submittals.
5. A Temporary Erosion and Sedimentation Control (TESC) plan is to be prepared by a WA State licensed Professional Engineer and implemented throughout the duration of construction. The TESC plan is to be prepared using best management practices (BMP's) currently accepted within the Civil Engineering profession. The TESC plan is to include, as a minimum, a grading plan, location, and details of silt control structures (such as silt ponds, silt traps) are to be installed prior to other site work and the TESC measures are to be implemented and maintained throughout the duration of construction, including house construction.
6. Geotechnical exploration and analysis to address slope stability, specifically with the design of slopes, walls, streets, utilities, structures, and earthwork shall be conducted prior to preparation of the civil plans for the final plat. Copies of the final geotechnical engineering evaluations / studies shall be submitted with the civil plans for the final plat.
7. Development of the site shall comply with the City Development Code Article 10-3H, the Stormwater Management Manual for Eastern WA.
8. A Stormwater Pollution Prevention Plan for the project site may be required and should be developed by a qualified person(s). Erosion and sediment control measures in the plan must be implemented prior to any clearing, grading, or construction. These control measures must be effective to prevent soil from being carried into surface water by stormwater runoff. Sand, silt, and soil can damage aquatic habitat and are considered pollutants. The plan must be upgraded as necessary during the construction period.
9. The operator of a construction site which disturbs one acre or more of total land area, and which has or will have a discharge of stormwater to a surface water or to a storm sewer, must apply for coverage under Department of Ecology's Baseline General Permit for Stormwater Discharges Associated with Construction Activities.
10. Compliance with the Washington State Department of Ecology Water Quality and Solid Waste Program requirements shall be required.
11. All new dry wells and other injection wells must be registered with the Underground Injection Control program (UIC) at Department of Ecology prior to use and the discharge from the wells must comply with the ground water quality requirement (nonendangerment standard) at the top of the ground water table.
12. The requirements for Spokane Clean Air (formerly SCAPCA) shall be met at the time of project construction.
13. Additional comments for this project are included within the proposed Conditions of Approval for the project.

I acknowledge the above mitigating measures to be modifications and adjustments to the above-described proposal and warrant that I will not oppose, object to, or contest these measures in the future.

Printed Name: John D. Kohen

Title: Agent for Applicant

Signature: John D. Kohen

Date: July 6, 2007

APPEAL OF THIS DETERMINATION, allowed under City Development Code Section 10-6A-7, subsection "C" shall be filed within fourteen (14) days after the determination has been made and is appealable. Any administrative appeal of a procedural or substantive determination under SEPA issued at the same time as the decision on the project action shall be filed within fourteen (14) days after notice of the decision has been made and is appealable. In order to allow public comment on a MDNS prior to requiring an administrative appeal to be filed, this appeal period shall be extended for an additional seven (7) days if the appeal is of a MDNS for which public comment period is required under the provisions of the City Environmental Ordinance or chapter 197-11 WAC. A notice of appeal must be delivered to P&CD by mail or personal delivery and must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H. The appeal procedure shall be as outlined in the City Development Code Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the P&CD Director.

A copy of this SEPA determination has been provided to the Dept. of Ecology - Olympia, Dept. of Transportation - Spokane County, Other Reviewing Agencies, and the project applicant.

A Notice of Public Hearing / SEPA Threshold Determination will also be printed in the 7/12/07 edition of the Liberty Lake Splash.

REVIEW AUTHORITY:

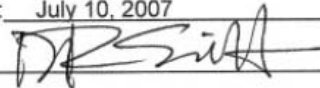


RESPONSIBLE OFFICIAL: Doug Smith, Director of Community Development

Planning & Community Development Department
22710 E. Country Vista Blvd., Liberty Lake, WA 99019
Phone: (509) 755-6707, Fax: (509) 755-6713, www.libertylakewa.gov

Date Issued: July 10, 2007

Signature: _____



ATTACHMENT D
NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BEFORE THE CITY HEARING EXAMINER

The City of Liberty Lake Planning & Community Development Dept. (Review Authority) has published this Notice of Hearing to provide the opportunity for public testimony on the described proposal at the pre-decision hearing. The file may be examined 8:00 a.m. to 5:00 p.m. Monday through Friday (except holidays) at the Planning & Community Development Dept. Project info is also available on the City website at www.libertylakewa.gov/development/public_notices.asp. Questions may be directed to the Project Coordinator listed below.

Proposal File #: P-07-0001 **Zoning:** R-1 & O
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Owner: Flophouse, LLC (Brian Main) **Phone:** 509-599-4455
Contact: Storhaug Engineering (John Konen) **Phone:** 509-242-1000
Application Date: 5/2/07 **Determination of Completeness Issued:** 5/16/07 Incomplete, 5/25/07 Complete
Notice of Application Issued: 6/5/07 **Comment Deadline:** 4pm, 6/19/07
Number of Acres: 23.10 **Proposed Number of Lots:** 49 single family lots
Existing Use: Vacant Land **Proposed Use:** Single Family Residential Development
Public Hearing Date: Wednesday, July 25, 2007 **Public Hearing Time:** 2:00 p.m.
Public Hearing Location: Liberty Lake City Hall Council Chambers – 22710 E. Country Vista Drive, Liberty Lake, WA
SEPA Threshold Determination: Mitigated Determination of Nonsignificance (MDNS)
SEPA Mitigation: See SEPA MDNS issued 7/10/07

This notice has been provided to advise agencies, property owners, neighborhoods, and the public in general that a proposal requiring a public hearing has been scheduled for an "open record" hearing where individuals and agencies can provide testimony. **This hearing held before the Hearing Examiner will be the last opportunity to testify or submit written comments that will be added to the record about the project prior to a decision being rendered.** The Hearing Examiner may continue any hearing, and no additional notice of hearing shall be required if the matter is continued to a specified place, date, and time. The Hearing Examiner's decision is a recommendation to the City Council and the City Council will conduct an additional 'closed record' public hearing at a regularly scheduled City Council meeting to render the final decision. Notice of the City Council hearing will be printed in the official City newspaper and on the City website at least ten (10) calendar days prior to the hearing. Additionally, members of the public and agencies who attended or spoke at the hearing before the Hearing Examiner, or submitted written comments, will be notified by mail of the upcoming hearing before the City Council. 'Closed record' appeals of Hearing Examiner decisions are held at the same time as the 'closed record' project decision hearing before the City Council and a notice of appeal must be delivered to P&CD by mail or personal delivery within fourteen (14) calendar days from the date the final decision of the Examiner is rendered. Appeal requests shall contain all information and items required in the City Development Code Section 10-4B-4, subsection H and must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day.

Written Comments: Agencies, tribes, and the public are encouraged to review and provide written comments on the proposed project. All written comments received prior to the scheduled public hearing, will be added to the record and considered prior to making a decision on this application.

REVIEW AUTHORITY:

PROJECT COORDINATOR: Amanda Tainio, Senior Planner



Planning & Community Development Department
22710 E. Country Vista Blvd., Liberty Lake, WA 99019
Phone: (509) 755-6707, Fax: (509) 755-6713, www.libertylakewa.gov

Date Issued: July 10, 2007

Signature: Amanda Tainio

ATTACHMENT E

BUDINGER & ASSOCIATES GEOTECHNICAL REPORT FOR P-06-0001



**Budinger
& Associates**

3820 E. Broadway Ave.
Spokane, WA 99202
Tel: 509.535.8841
Fax: 509.535.9589

GEOTECHNICAL REPORT

To: Rudeen Development, LLC c/o Greg Jefferys
Cc: John Konen, Storhaug Engineering
Date: March 10, 2006
Re: Geotechnical Report, Evaluation of Drainage and Initial Characterization for Road Cuts, -- Liberty Lakeview Estates, Liberty Lake, WA (S06011)

Scope and Project Description

We understand that you are proposing the construction of a new residential single-family hillside development on the west side of N Liberty Lake Road, near the intersection of N Liberty Lake Road and Settler Drive, as illustrated in the attached Site Map and Vicinity Map. The project site is approximately 23 acres in size.

Because of the relatively rocky conditions across the site, the project civil engineer, Storhaug Engineering, is developing drainage plans to make best use of subsurface conditions. We understand that the entrance may require a 35-foot thick cut to achieve desired grade.

You requested geotechnical explorations and analysis addressing drainage, stability assessment of proposed road cuts, and related earthwork. In order to expedite civil engineering design, this initial report only addresses subsurface infiltration potential for storm water, as well as initial characterization of road cuts.

Field Explorations

In order to identify subsurface conditions and to provide test sites for in-situ infiltration tests, we conducted 8 test pit explorations. The locations of the test pits are shown on the attached *Site Plan*. We completed the test pit excavations on the 26th of January 2006 using a Case 9010B trackhoe with 2.0-foot wide bucket. They ranged in depth from 2 to 19 feet. Additionally, 6 exploratory borings were completed at depths ranging from 20 to 30 feet below ground surface (bgs) using a Longyear 28 air rotary drill rig.

Test pit backfill was replaced with tamping of the track hoe bucket. Conditions encountered are described in the attached *Test Pit Logs*. A key, labeled *Guide to Soil and Rock Descriptions*, is also attached.

Two test pit infiltration tests were conducted in accordance with *Spokane County Guidelines for Stormwater Management*, Appendix I-4.3. One infiltration test was conducted in the vicinity of TP 1 and the other in the vicinity of TP4. In the following text they are referred to as the northern lobe (TP 1) and southern lobe (TP4). They were approximately located at the northeast corner and near the east central property line, near the existing housing development. These two locations were chosen for their position in topographic low areas and the likelihood that suitable material for drainage would be encountered with depth. Stabilized flow rates, head levels, and test pit dimensions are summarized for the two test sites on the attached table, *Test Pit Infiltration Data*.

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Construction Materials Testing & Inspection*

Setting

The ground surface slopes east at 15-50%, with the steepest terrain generally occurring on the eastern half of the site. The slopes above the site in the Legacy Hills development are more gradual at approximately 20% or less. According to a topographic plan provided by the project architect, the highest elevation on the site is in the southwest corner (approximately 2300 ft), about 225 feet higher than the lower portions on the eastern boundary near N Liberty Lake Rd. Based on the relatively thin organic layer at the surface, the site appears never to have been tilled. The surface is vegetated with a moderate growth of grasses, Ponderosa Pine, brush and numerous Precambrian metamorphic rock outcrops. To the south and east are an existing residential development and a city of Liberty Lake water tower. To the east is N Liberty Lake Rd, beyond which is a golf course and housing developments. To the north is a vacant field.

The geologic conditions on the subject site can generally be characterized by relatively thin overburden thickness (i.e., soil cover), relatively shallow depth to Precambrian metamorphic bedrock, and relatively shallow depth to groundwater on the eastern side of the site. However there can be significant lateral variability in subsurface conditions such as from the low-lying lobes underlain by gravel and upland terrain underlain at shallow depth by rock.

Regional Geology

The majority of the site is composed of Hauser Lake Gneiss (Precambrian). This material is characterized by rusty weathering, medium-grained, well banded, foliated, and lineated mylonitic biotite-orthoclase-plagioclase-quartz gneiss, and schist that contains minor quartzite. Muscovite-biotite schist layers are less than 1 meter (m) thick and quartz-feldspar layers are more than 1 m thick. Bedding or foliation of schist zones are consistent across large areas of the site, but other discontinuities, such as joints and cleavage planes, are abundant, variably spaced, and variably oriented producing very complex masses of rock with respect to rock mechanics and groundwater flow.

The lobes of lower elevation, where the two infiltration tests were conducted, are composed of a different geologic group of flood deposited material from the Pleistocene time period. This material is a poorly sorted, stratified mixture of gravel, cobbles, boulders, and sand resulting from multiple episodes of catastrophic outbursts from glacier-dammed lakes, such as glacial Lake Missoula which inundated much of the present Clark Fork River drainage in Montana and Idaho.

Encountered Conditions

Four distinct materials were encountered at the site with respect to properties relevant to development of the project: 1) SILT, 2) GRAVEL, 3) SILTY SAND, and 4) ROCK, as described further below. The first areas of the site explored were two small lobes of ground comprised primarily of flood deposited material, on the northeastern and southeastern portion of the site, where the land surface elevation is similar to that of N Liberty Lake Rd. Conditions encountered beneath these lobes included an approximately 1 to 2-foot thick layer of sandy SILT underlain by laminated GRAVEL with thin sand and silt laminations and lenses, to a depth exceeding 30 feet (this area includes TP 1, 2 & TB 9). Beneath the southeastern lobe of the site, at the base of the hillside, Precambrian metamorphic ROCK was encountered in TP 4 and 5, beneath the laminated GRAVEL layer. A few feet away from the hillside no rock was encountered in TB 11. Static groundwater levels in these areas ranged between 23 and 26 feet bgs. In TP 3 and TB 10, directly above and to the west of TP 1 & 2 SILTY SAND was encountered continuously to a depth of 25 feet bgs. The static ground water level in this area was recorded at approximately 22 feet bgs.

Beneath other locations explored at the site, a layer of loose to medium dense, sandy SILT was observed at the ground surface underlain by decomposing and competent Precambrian metamorphic ROCK. Depth to ROCK varies from 0.5 to 1 foot bgs in the borings that encountered this material. In general, the ROCK was composed of several feet of very decomposed and soft material, and then became moderately hard and less decomposed.

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Below the sandy SILT unit are coarse-grained GRAVEL outburst flood deposits that include sand, cobbles, and boulders. The GRAVEL layer contains thin interbeds of silt and silty sand. The thickness of the flood materials ranged from 5 to greater than 29 feet, typically increasing to the east and northeast. The true thickness in several locations is not known because flood deposits were not completely penetrated. The conditions of the flood deposits appear to be medium dense to dense.

The grain size analyses show that the percentage passing the # 200 sieve in the minus 3/4 inch fraction of the flood deposits is 5 % or less. The permeability of this stratum is relatively consistent laterally but somewhat reduced vertically by finer textured laminations and lenses. The estimated permeability (k) of the GRAVEL layer ranges from 20 and 130 in/hr. The estimated k-value was calculated from results of field infiltration tests, as described further in the next section.

At five test pit locations, TP 4 through TP 8, ROCK caused refusal below the SILT and GRAVEL at depths ranging from 2 to 11 feet.

During the exploration, groundwater was encountered at three locations but only one (TB 10) was, above the low-lying eastern boundary of the site. At wetter times of the year or during wetter climatic cycles, groundwater could be found perched on the ROCK at other locations. A stream, likely intermittent, was observed at the north end of the project near the area of the thickest proposed cut. The stream is in the vicinity of TP 3 and TB 10, immediately north, and flows east towards TP 1 and N Liberty Lake Road.

Conclusions and Recommendations

The majority of the subject site is unsuitable for infiltration; however, the two lobes on the eastern side of the site appear to be hydraulically connected to flood deposits and are capable of receiving sizable volumes of water over an extended period of time. Field infiltration tests and correlation with laboratory determined index properties demonstrate that the permeability of the flood deposits qualify the GRAVEL layer as a permeable target layer for infiltration.

Soil permeability was assessed by visual observations of soil in borings and test pits, laboratory testing of grain size distribution, and field infiltration testing in two test pits. The stabilized flow rates in these tests were 40 and 260 gallons per minute (gpm) in TP 1 and 2, respectively. Drywell infiltration rates were determined in accordance with the *Infiltration Rates and Soil Classification Correlation (IRSCC)*, May 28, 2004 developed by Spokane County and the City of Spokane in conjunction with Budinger & Associates, Inc., Cummings Geotechnology, Inc., and GeoEngineers. Criteria include safety factors of 1.8 and 1.3 for TP 1 and 2, respectively, resulting in maximum design infiltration rates of 0.2 and 1.5 cfs, respectively for Type B (two barrel deep) drywells.

We recommend installing three-barrel deep drywells at the northern site to expose as much surface area of the permeable soil as possible and two-barrel deep drywells in the southern site based upon silty laminations and lenses as well as bedrock and groundwater boundaries. Furthermore, we recommend a maximum design outflow rate per drywell of 0.13 cubic feet per second (cfs) beneath the northern drainage area and 0.80 cfs beneath the southern area. The maximum total outflow of the drainage areas should not exceed 0.80 cfs beneath the northern drainage area or 3.2 cfs beneath the southern area, which would limit the total number of drywells in each area to 6 and 4, respectively.

We recommend a minimum center-to-center drywell spacing of 40 feet and a minimum of a 4-foot separation from the base of the drywells to bedrock or static groundwater levels.

Groundwater in the area of TB 10 may have significant impact to road cut design as the depth to groundwater was approximately 22 feet bgs, while current plans are to cut the road to a depth of 35 feet bgs.

Limitations

Services were limited to the exploration, testing, and analysis described herein. This report should not be used for other purposes. Geotechnical engineering for other civil, environmental, or permitting aspects of the project are beyond the scope of this involvement. Other limitations are summarized in the attached document entitled *Important Information About Your Geotechnical Engineering Report*.

We appreciate the opportunity to offer this service. Please call if you have any questions.

Respectfully Submitted:
BUDINGER & ASSOCIATES, INC.

Ryan Molsee
Hydrogeologist

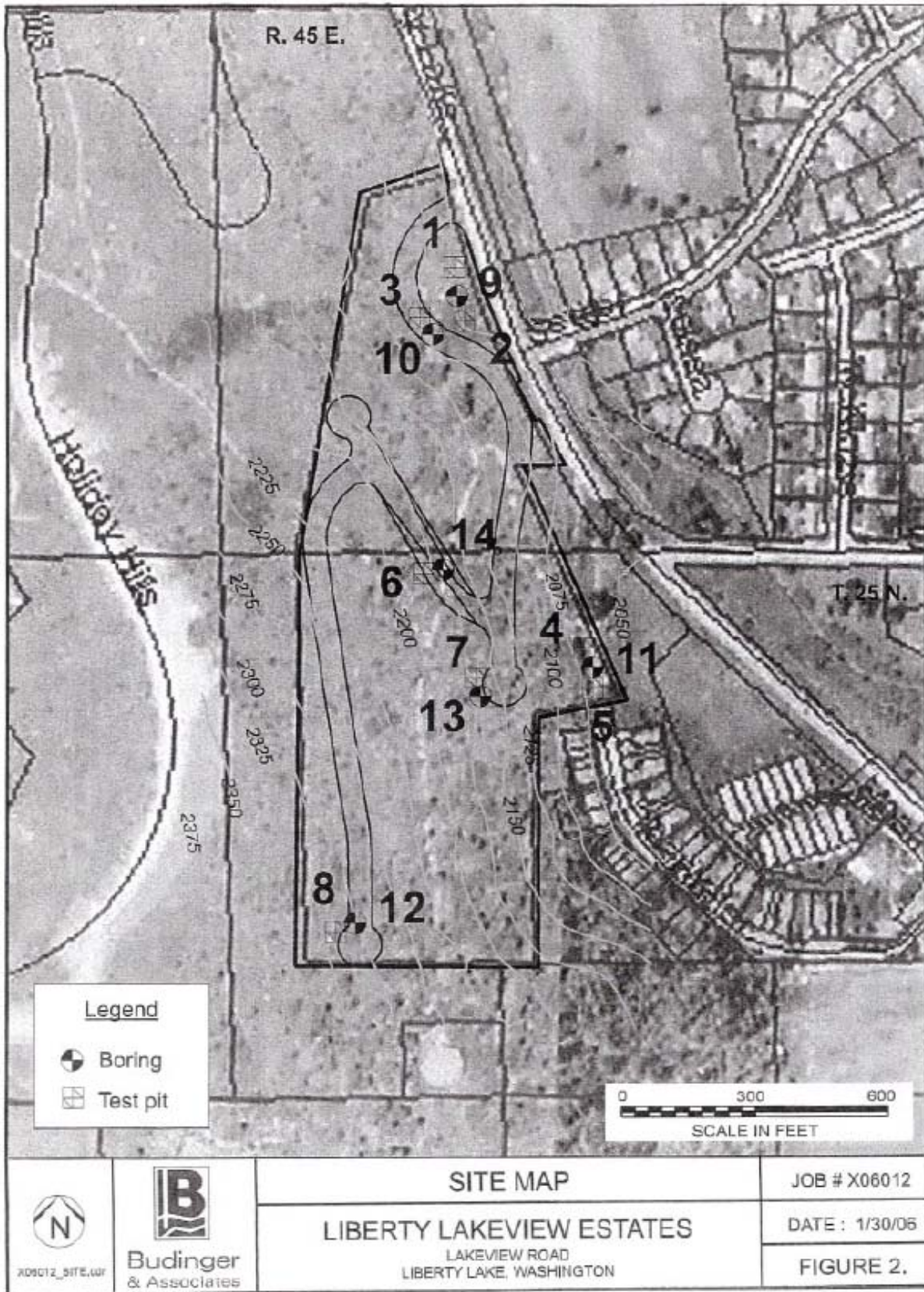
John E. Finnegan, PE
Geotechnical Engineer, Principal

Addressee - 6

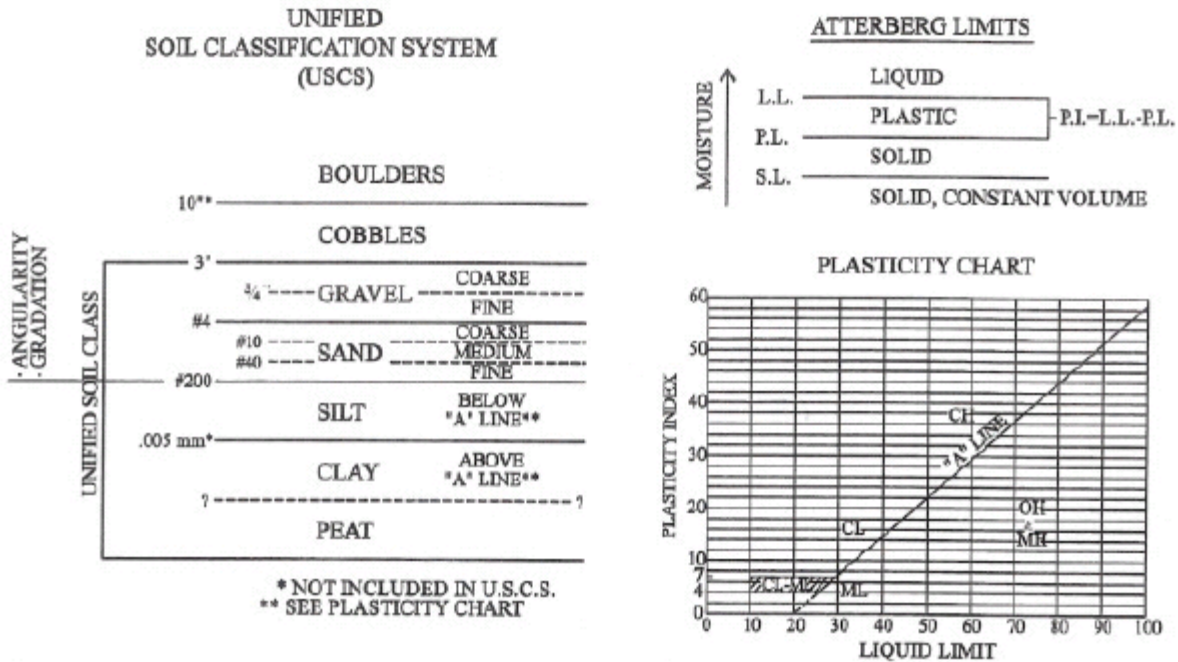
Attachments

- Laboratory Summary
- Vicinity Map, Figure 1
- Site Map, Figure 2
- Guide to Soil & Rock Descriptions, Figure 3
- Test Pit Logs, Figures 4-1 thru 4-12
- Test Pit Infiltration Data, Figures 5-1 and 5-2
- Grain Size Distribution Results, Figure 6
- Important Information About Your Geotechnical Engineering Report

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GUIDE TO SOIL & ROCK DESCRIPTIONS



GUIDE TO SOIL DESCRIPTION MODIFIERS, MOISTURE, AND CONDITION PRESENTED ON LOGS.

MODIFIER	ESTIMATED PERCENTAGE OF SAMPLE	MOISTURE	CONDITION
SUFFIX "LY" OR "Y"	GREATER THAN 40%	DRY	COARSE GRAINED:
SOME	22% - 45%	SLIGHTLY MOIST	VERY LOOSE
SMALL AMOUNT	8% - 25%	VERY MOIST	LOOSE
TRACE/OCCASIONAL	0% - 12%	SATURATED	MEDIUM DENSE
			DENSE
			VERY DENSE
			FINE GRAINED:
			VERY SOFT
			SOFT
			MEDIUM
			STIFF
			VERY STIFF
			HARD
			ROCK:
			SOFT
			MODERATELY HARD
			HARD
			VERY HARD


▽	GROUNDWATER INDICATION DURING DRILLING
▼	GROUNDWATER INDICATION AFTER DRILLING

SAMPLES



■	STANDARD 2" PENETRATION TEST SAMPLER WITH BLOWS PER FOOT
■	3" SPLIT SPOON SAMPLER WITH BLOWS PER FOOT
□	DRILL CUTTING SAMPLE
□	BULK SAMPLE
□	SHELBY TUBE SAMPLE
□	DIAMOND CORE RUN WITH % RECOVERY & ROCK QUALITY DESIGNATION
⊗	4" O.D. SPLIT SPOON SAMPLER WITH BLOWS PER FOOT
R	REFUSAL OF SAMPLE (50+ BLOWS PER 6")



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FIGURE 3

TEST PIT 1				
<div style="display: flex; justify-content: space-between;"> <div> Date: 1-26-06 Excavator: Budinger & Assoc., Inc. Equipment: Case 9010B track hoe, 24" bucket Location: NE side Surface: grass and weeds </div> <div style="text-align: right;"> Logged by: R. Molsee </div> </div>				
DEPTH		MOISTURE, COLOR, CONDITION	DESCRIPTION	SOIL LOG
0				
		moist, dark brown, medium dense	SANDY SILT	
5	/	slightly moist, light brown, medium dense to dense	GRAVEL, some Sand, occasional Boulders, sub-rounded, medium	
10			laminated with thin layers and lenses of silt and sand	
15				
20	/	no free groundwater observed	End of Excavation @ 19 ft	
25				
30				
35				
 <div style="margin-left: 10px;"> Budinger & Associates 3820 E. Broadway Ave. Spokane, WA 99202 </div>			<div style="display: flex; justify-content: space-between;"> <div> TEST PIT LOGS Project: Liberty Lakeview Estates Location: N. Liberty Lake Rd, Spokane County, WA Number: S06011 </div> <div style="text-align: right;"> FIGURE 4-1 </div> </div>	

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TEST PIT 2				
<div style="display: flex; justify-content: space-between;"> <div> Date: 1-26-06 Excavator: Budinger & Assoc., Inc. Equipment: Case 9010B track hoe, 24" bucket Location: NE side Surface: grass and weeds </div> <div style="text-align: right;"> Logged by: R. Moisee </div> </div>				
DEPTH	MOISTURE, COLOR, CONDITION	DESCRIPTION	SOIL LOG	
0				
5	slightly moist, dark brown, medium dense dry to slightly moist, light brown, medium dense to dense	SANDY SILT GRAVEL, some Sand, occasional Boulders, sub-rounded, medium		
10		laminated with thin layers and lenses of silt and sand		
15				
20		no free groundwater observed		End of Excavation @ 19 ft
25				
30				
35				
<div style="display: flex; align-items: center;">  <div> Budinger & Associates 3820 E. Broadway Ave. Spokane, WA 99202 </div> </div>			TEST PIT LOGS	
			FIGURE 4-2	
Project: Liberty Lakeview Estates Location: N. Liberty Lake Rd, Spokane County, WA Number: S06011				

TEST PIT 3				
Date: 1-26-06 Excavator: Budinger & Assoc., Inc. Equipment: Case 9010B track hoe, 24" bucket Location: N side Surface: grass and weeds		Logged by: R. Molsee		
DEPTH	MOISTURE, COLOR, CONDITION	DESCRIPTION	SOIL LOG	
0				
5	moist, dark brown, loose to medium dense moist, light brown, medium dense to dense	SILT SAND, some Gravel, fine to medium		
10				
15	moist, light gray, medium dense to dense	SAND, some Gravel and Cobbles, fine to medium		
20				
25				
30				
35	no free groundwater observed	End of Excavation @ 15 ft		



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TEST PIT LOGS
FIGURE 4-3

Project: Liberty Lakeview Estates

Location: N. Liberty Lake Rd, Spokane County, WA

Number: S06011

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TEST PIT 4				
<div style="display: flex; justify-content: space-between;"> <div> Date: 1-26-06 Excavator: Budinger & Assoc., Inc. Equipment: Case 9010B track hoe, 24" bucket Location: E Central Surface: grass and weeds </div> <div style="text-align: right;"> Logged by: R. Molsee </div> </div>				
DEPTH		MOISTURE, COLOR, CONDITION	DESCRIPTION	SOIL LOG
0				
		moist, dark brown, loose to medium dense	SILT	
5		dry to slightly moist, gray with brown, medium dense to dense	SAND, some Gravel and Silt Some laminated gravel with thin layers of silt	
10		slightly moist, brown to orange, loose to medium dense	SAND, medium to coarse	
		dry, gray, soft no free groundwater observed	GNEISS/SCHIST End of Excavation @ 11 ft	
15				
20				
25				
30				
35				

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TEST PIT LOGS
FIGURE 4-4

Project: Liberty Lakeview Estates
Location: N. Liberty Lake Rd, Spokane County, WA
Number: S06011

TEST PIT 5				
Date: 1-26-06 Excavator: Budinger & Assoc., Inc. Equipment: Case 9010B track hoe, 24" bucket Location: E Central Surface: grass and weeds		Logged by: R. Molsee		
DEPTH	MOISTURE, COLOR, CONDITION	DESCRIPTION	SOIL LOG	
0				
	moist to wet, dark brown, loose to medium dense	SILT		
	moist, light brown, medium dense	SILTY SAND, medium to coarse		
5				
	dry, gray, soft	Weathered GNEISS/SCHIST		
	no free groundwater observed	End of Excavation @ 6 ft.		
10				
15				
20				
25				
30				
35				



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TEST PIT LOGS **FIGURE 4-5**



Project: Liberty Lakeview Estates

Location: N. Liberty Lake Rd, Spokane County, WA

Number: S06011

TEST PIT 6				
Date: 1-26-06 Excavator: Budinger & Assoc., Inc. Equipment: Case 9010B track hoe, 24" bucket Location: Central Surface: grass and weeds		Logged by: R. Molsee		
DEPTH	MOISTURE, COLOR, CONDITION	DESCRIPTION	SOL LOG	
0				
5	moist, dark brown, loose to medium dense dry to slightly moist, light brownish gray, very dense dry to slightly moist, gray, soft no free groundwater observed	SILT SILTY SAND and weathered gneiss/schist (transition zone) GNEISS/SCHIST End of Excavation @ 2 ft		
10				
15				
20				
25				
30				
35				
<div style="display: flex; align-items: center;">  <div> Budinger & Associates <small>3820 E. Broadway Ave. Spokane, WA 99202</small> </div> </div>		<div style="display: flex; justify-content: space-between;"> <div> TEST PIT LOGS Project: Liberty Lakeview Estates Location: N. Liberty Lake Rd, Spokane County, WA Number: S06011 </div> <div style="text-align: right;"> FIGURE 4-6 </div> </div>		

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TEST PIT 7				
Date: 1-26-06 Excavator: Budinger & Assoc., Inc. Equipment: Case 9010B track hoe, 24" bucket Location: Central Surface: grass and weeds		Logged by: R. Moisee		
DEPTH	MOISTURE; COLOR; CONDITION	DESCRIPTION	SOIL LOG	
0				
5	moist, dark brown, loose to medium dense dry to moist, grayish brown, soft no free groundwater observed	SILT Weathered GNEISS/SCHIST with sand End of Excavation @ 2.5 ft		
10				
15				
20				
25				
30				
35				
<div style="display: flex; align-items: center;">  <div> Budinger & Associates 3320 E. Broadway Ave. Spokane, WA 99202 </div> </div>			TEST PIT LOGS	
			FIGURE 4-7	
			Project: Liberty Lakeview Estates Location: N. Liberty Lake Rd, Spokane County, WA Number: S06011	

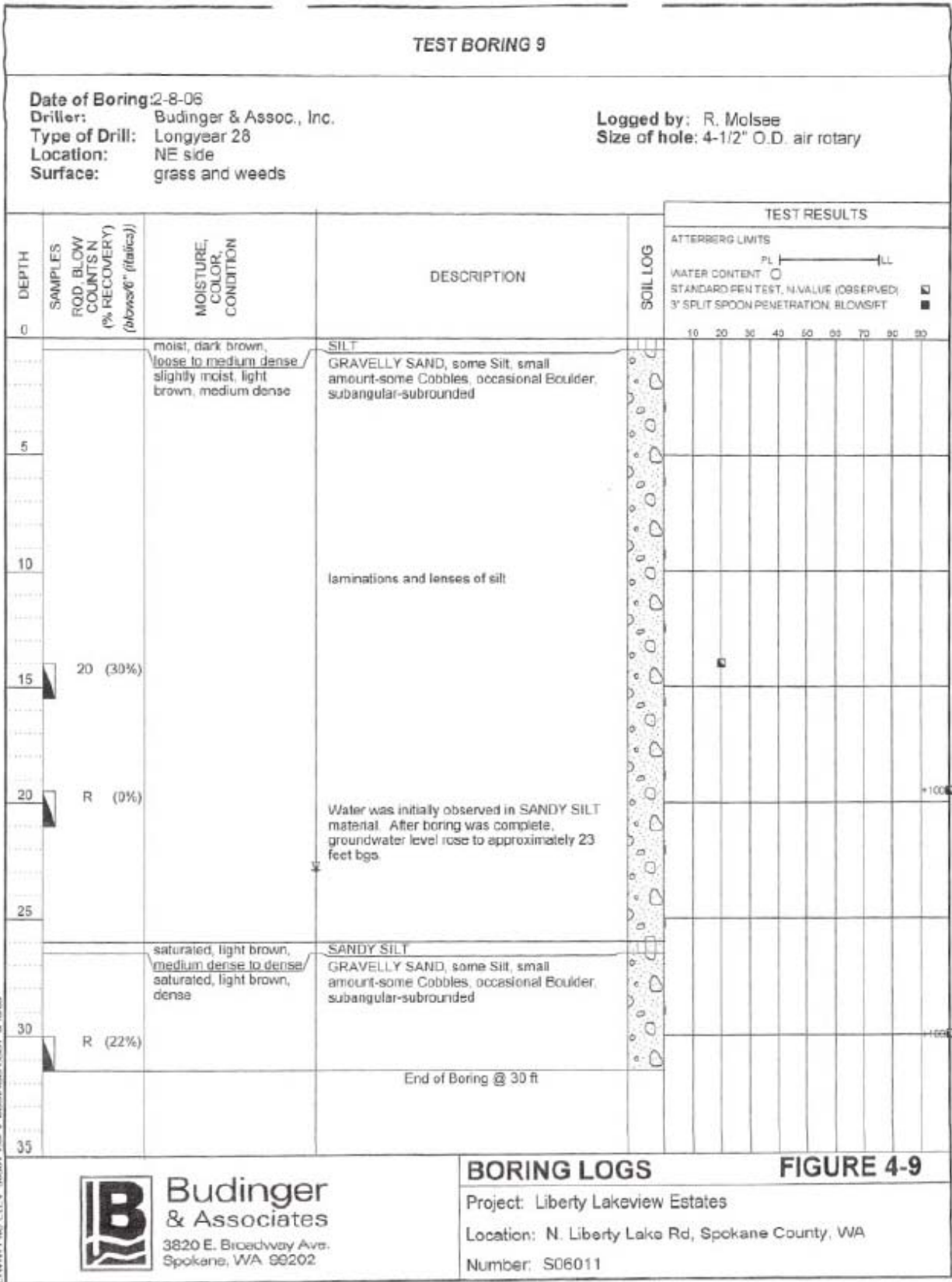
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TEST PIT 8				
Date: 1-26-06 Excavator: Budinger & Assoc., Inc. Equipment: Case 9010B track hoe, 24" bucket Location: SW corner Surface: grass and weeds		Logged by: R. Molsee		
DEPTH	MOISTURE, COLOR, CONDITION	DESCRIPTION	SOIL LOG	
0				
.....	moist, dark brown,	SILT		
.....	loose to medium dense	SILTY SAND, with weathered rock		
.....	moist, grayish brown, dense	GNEISS/SCHIST with some sand		
.....	dry to slightly moist, gray, soft	End of Excavation @ 3 ft		
5	no free groundwater observed			
.....				
.....				
10				
.....				
.....				
15				
.....				
.....				
20				
.....				
.....				
25				
.....				
.....				
30				
.....				
.....				
35				

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TEST PIT LOGS **FIGURE 4-8**

Project: Liberty Lakeview Estates
 Location: N. Liberty Lake Rd, Spokane County, WA
 Number: S06011



TEST BORING 10						
<div style="display: flex; justify-content: space-between;"> <div> Date of Boring: 2-14-08 Driller: Budinger & Assoc., Inc. Type of Drill: Longyear 28 Location: Northern Surface: grass and weeds </div> <div> Logged by: R. Molsee Size of hole: 4-1/2" O.D. air rotary </div> </div>						
DEPTH	SAMPLES REQ. BLOW COUNTS N (% RECOVERY) (blows/6" (18kcs))	MOISTURE, COLOR, CONDITION	DESCRIPTION	SOIL LOG	TEST RESULTS	
0					ATTERBERG LIMITS PL ——— LL WATER CONTENT O STANDARD PEN TEST, N-VALUE (OBSERVED) ■ 3" SPLIT SPOON PENETRATION, BLOWS/FT ■	
		moist, dark brown, loose	SILT		10	20
		moist, brown/red brown, very dense	SILTY SAND, medium to coarse (saturated at approximately 20 feet)		30	40
5					50	60
10					70	80
15					90	
20	R (50%)		observed wet sand at approximately 23' bgs, after boring was completed water level was measured at 22' bgs			+100
25	R (30%)		End of Boring @ 25 ft			+100
30						
35						

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BORING LOGS
FIGURE 4-10

Project: Liberty Lakeview Estates
 Location: N. Liberty Lake Rd, Spokane County, WA
 Number: S06011

TEST BORING 11													
<div style="display: flex; justify-content: space-between;"> <div> Date of Boring: 2-15-06 Driller: Budinger & Assoc., Inc. Type of Drill: Longyear 28 Location: E Central Surface: grass and weeds </div> <div style="text-align: right;"> Logged by: R. Molsee Size of hole: 4-1/2" O.D. air rotary </div> </div>													
DEPTH	SAMPLES RQD, BLOW COUNTS, N (% RECOVERY) (blows/6" (static))	MOISTURE, COLOR, CONDITION	DESCRIPTION	SOIL LOG	TEST RESULTS								
0					ATTERBERG LIMITS PL ————— LL WATER CONTENT ○ STANDARD PEN TEST, N-VALUE (OBSERVED) ■ 3" SPLIT SPOON PENETRATION, BLOWS/FT ■								
		moist, brown, loose to medium dense	SILT, occasional Gravel, trace Organics; roots, poorly graded (fine-medium)		10	20	30	40	50	60	70	80	90
5		dry to slightly moist, grayish brown, very dense	GRAVELLY SAND, small amount-some Cobbles, occasional Boulder, subangular-subrounded										
10													
15			laminated gravels with thin layers of silt										
20	R (15%)												
25	R (8%)	saturated	no saturated cuttings were observed during boring, however after completion water level was detected at approximately 25' bgs										
30	R (4%)		End of Boring @ 30 ft										
35													

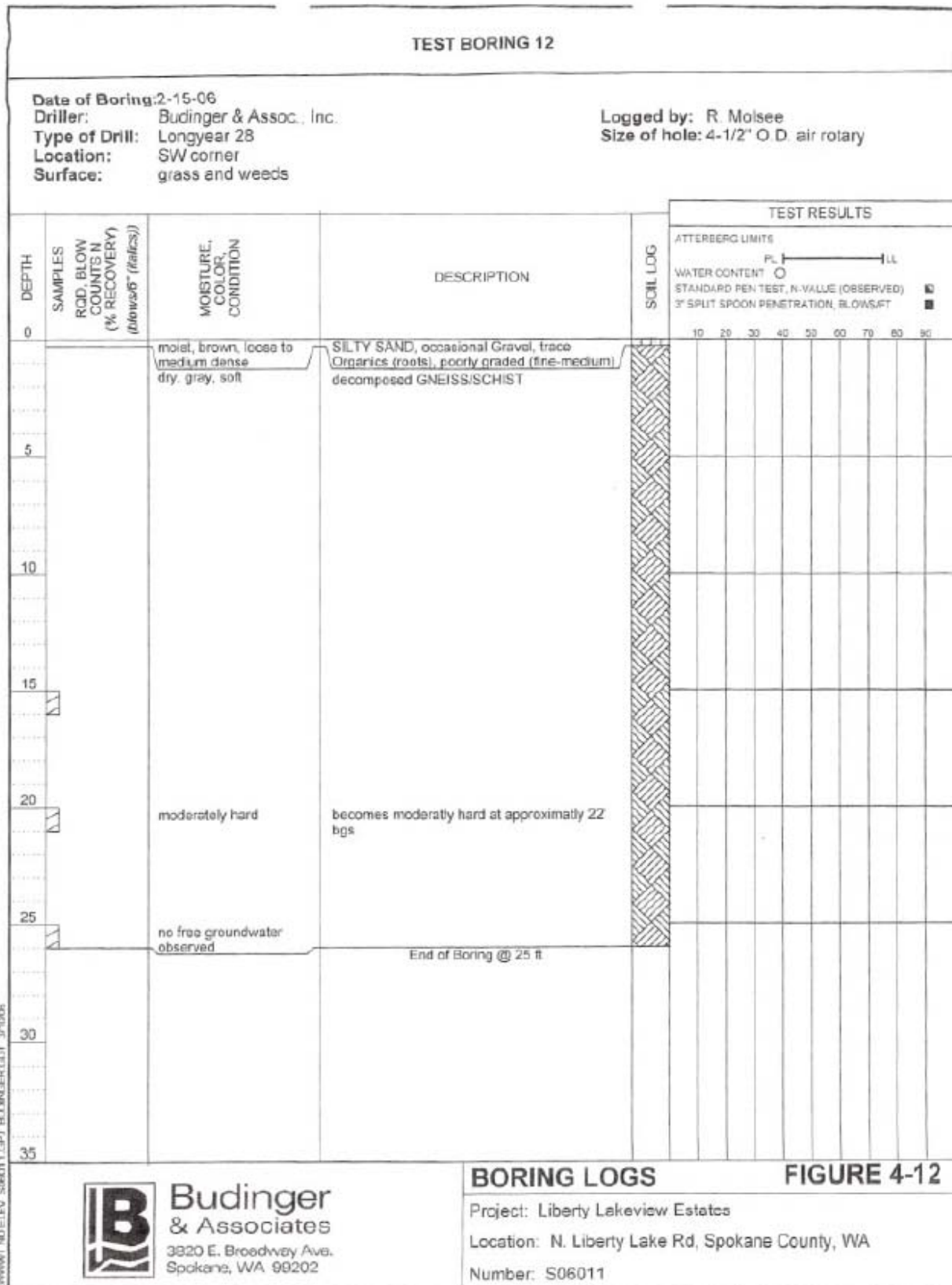
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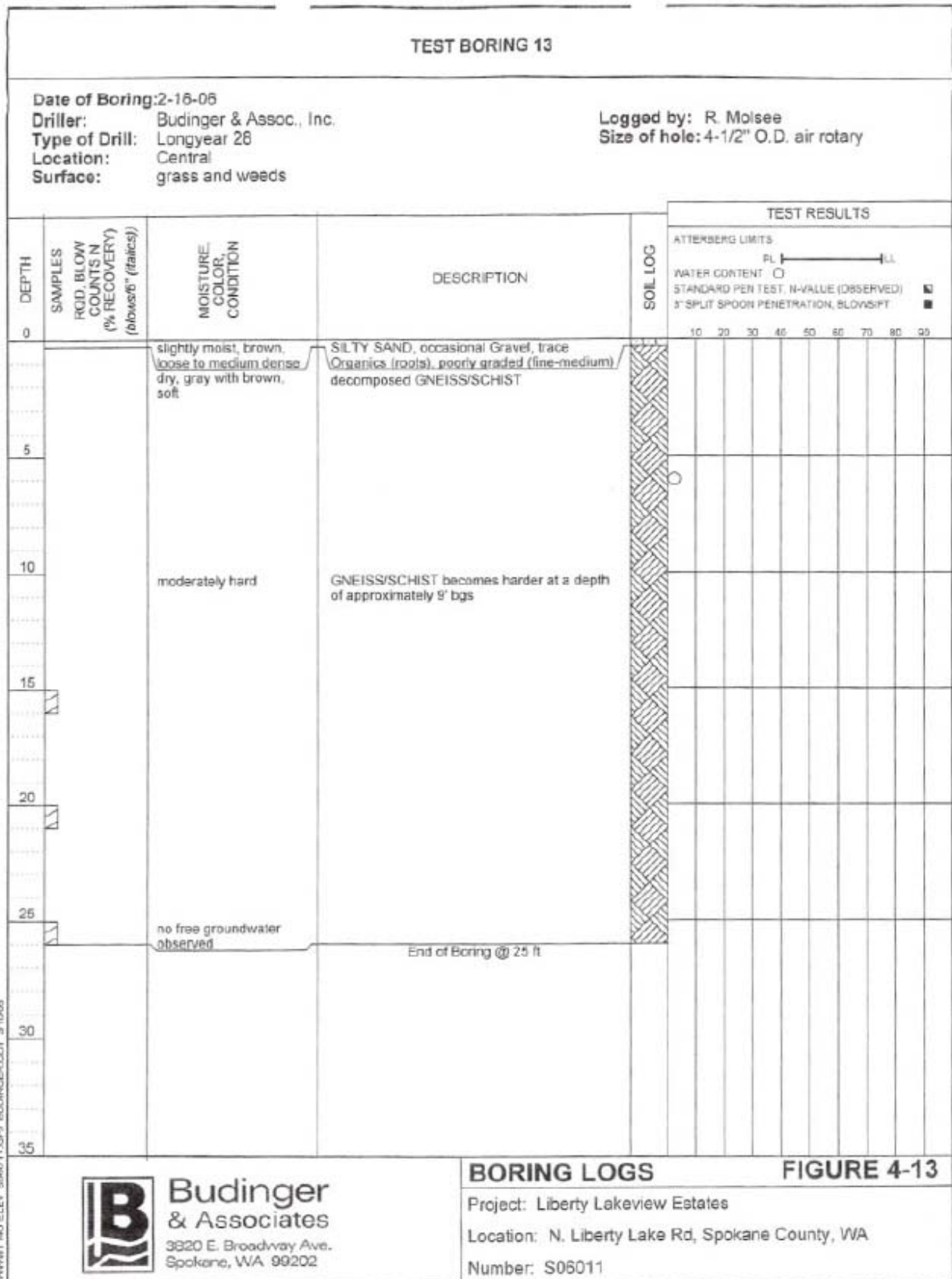
BORING LOGS **FIGURE 4-11**

Project: Liberty Lakeview Estates

Location: N. Liberty Lake Rd, Spokane County, WA

Number: S06011





TEST BORING 14

Date of Boring: 2-17-06
 Driller: Budinger & Assoc., Inc.
 Type of Drill: Longyear 28
 Location: Central
 Surface: grass and weeds

Logged by: R. Molsee
 Size of hole: 4-1/2" O.D. air rotary

					TEST RESULTS									
DEPTH	SAMPLES ROD. BLOW COUNTS N (% RECOVERY) (blows/6" (ft/ft))	MOISTURE, COLOR, CONDITION	DESCRIPTION	SOIL LOG	ATTERBERG LIMITS									
					PL ————— LL									
0		dry, light gray, soft	weathered GNEISS/SCHIST		WATER CONTENT ○									
					STANDARD PEN TEST, N-VALUE (OBSERVED) ■									
					3" SPLIT SPOON PENETRATION, BLOWS/FT ■									
					10	20	30	40	50	60	70	80	90	
5														
10														
		moist, reddish brown, medium dense dry, light gray, moderately hard	SANDY SILT with organics and tree roots GNEISS/SCHIST											
15														
20														
		no free groundwater observed	End of Boring @ 20 ft											
25														
30														
35														

L:\W\AT NO ELEV S05011.GPJ BUDINGER.GDT 3/1/06



**Budinger
& Associates**
 3820 E. Broadway Ave.
 Spokane, WA 99202

BORING LOGS

FIGURE 4-14

Project: Liberty Lakeview Estates
 Location: N. Liberty Lake Rd, Spokane County, WA
 Number: S06011

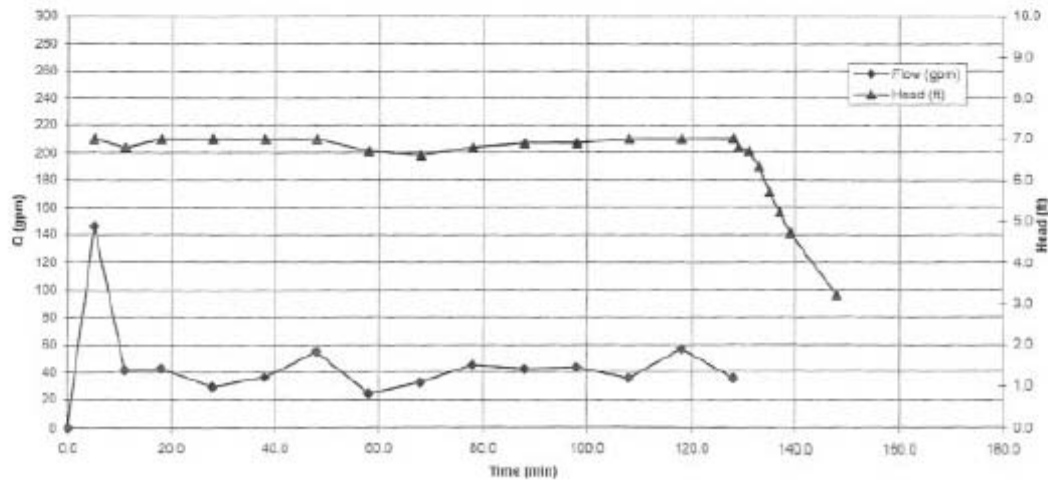
Figure 5-1
Test Pit Infiltration Data

WL BGS = water level depth below ground surface (ft)

WL Elev = water level elevation (ft)

Test Pit #1							
Total Depth (ft)					10.0		
Surface Elevation (ft)					2330		
Bottom Elevation (ft)					2320		
Bottom dimensions					3' x 7'		
Gravel					3' to 10' below grade		
		Total flow rate					
Date/Time	Time (min)	meter 1 (gal)	cum. (gal)	(gpm)	WL BGS	WL Elev	Head
1/31/2006 14:52	0.00	272900	0	0			
1/31/2006 14:57	5.00	273630	730	145.0	3.0	2327.0	7.0
1/31/2006 15:03	11.00	273880	980	41.7	3.2	2326.8	6.8
1/31/2006 15:10	18.00	274180	1280	42.9	3.0	2327.0	7.0
1/31/2006 15:20	28.00	274470	1570	29.0	3.0	2327.0	7.0
1/31/2006 15:30	38.00	274830	1930	36.0	3.0	2327.0	7.0
1/31/2006 15:40	48.00	275380	2480	55.0	3.0	2327.0	7.0
1/31/2006 15:50	58.00	275620	2720	24.0	3.3	2326.7	6.7
1/31/2006 16:00	68.00	275940	3040	32.0	3.4	2326.6	6.6
1/31/2006 16:10	78.00	276390	3490	45.0	3.2	2326.8	6.8
1/31/2006 16:20	88.00	276810	3910	42.0	3.1	2326.9	6.9
1/31/2006 16:30	98.00	277240	4340	43.0	3.1	2326.9	6.9
1/31/2006 16:40	108.00	277590	4690	35.0	3.0	2327.0	7.0
1/31/2006 16:50	118.00	278160	5260	57.0	3.0	2327.0	7.0
1/31/2006 17:00	128.00	278510	5610	35.0	3.0	2327.0	7.0
1/31/2006 17:01	129.00				3.2	2326.6	6.6
1/31/2006 17:03	131.00				3.3	2326.7	6.7
1/31/2006 17:05	133.00				3.7	2326.3	6.3
1/31/2006 17:07	135.00				4.3	2325.7	5.7
1/31/2006 17:09	137.00				4.8	2325.2	5.2
1/31/2006 17:11	139.00				5.3	2324.7	4.7
1/31/2006 17:20	148.00				6.8	2323.2	3.2

Average gpm @ constant head
 35.8



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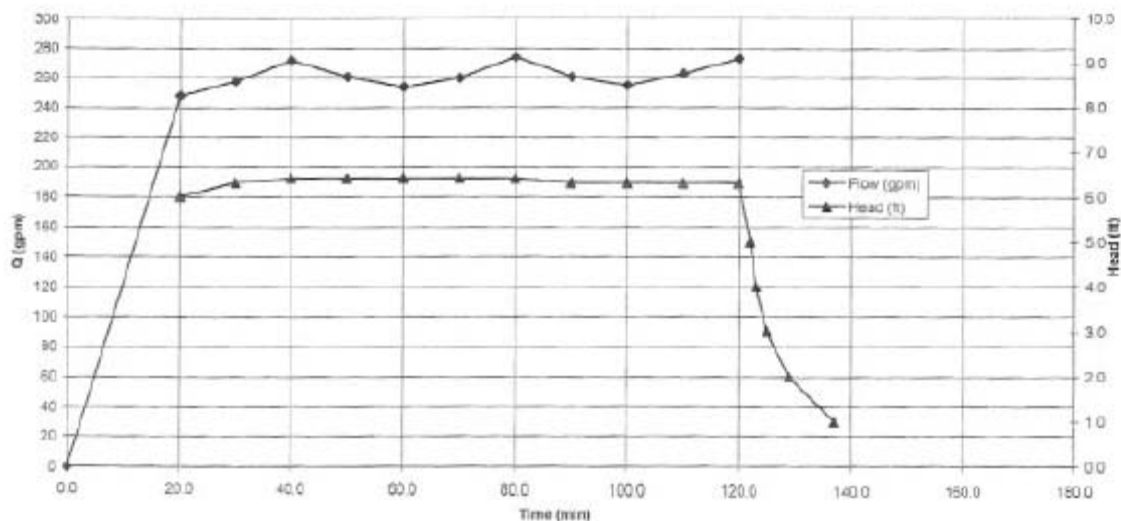
Figure 5-2
Test Pit Infiltration Data

WL BGS = water level depth below ground surface (ft)

WL Elev = water level elevation (ft)

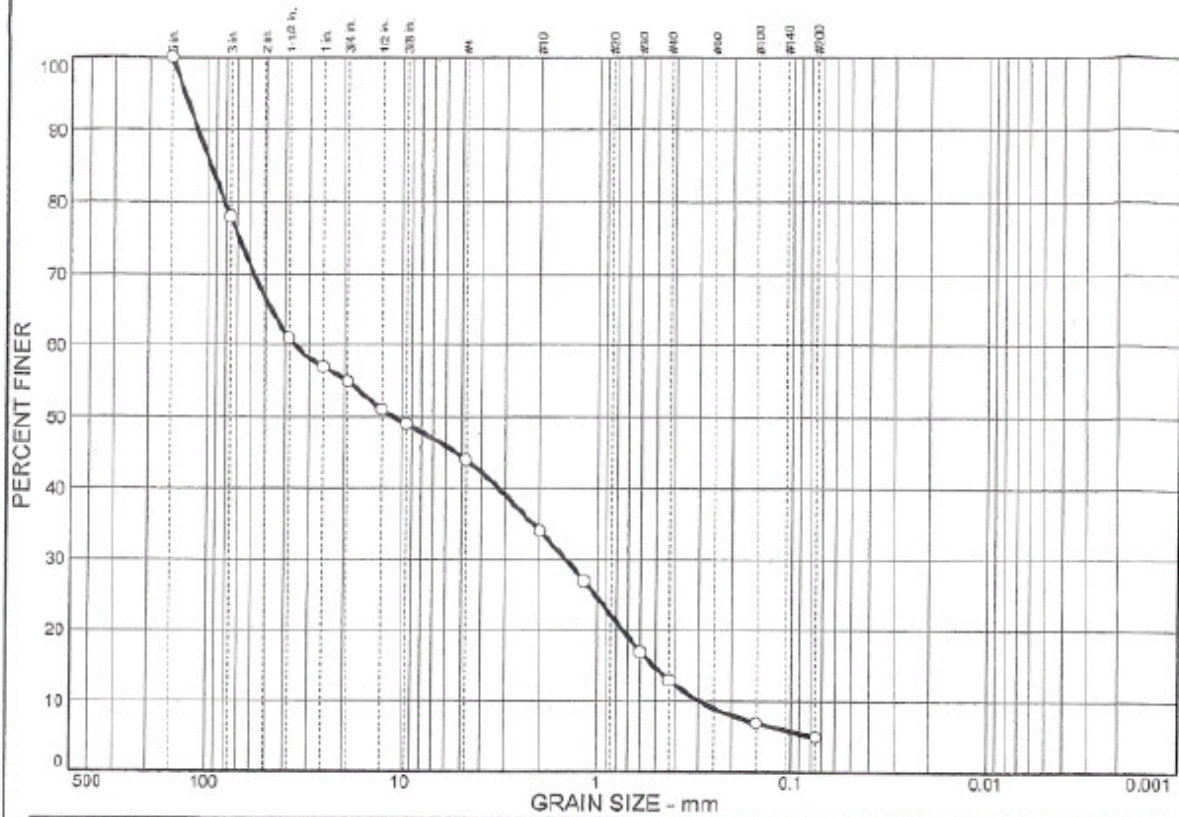
Test Pit #2							
Total Depth (ft)					12.0		
Surface Elevation (ft)					2330		
Bottom Elevation (ft)					2318		
Bottom dimensions					3' x 7'		
Gravel					5' to 12' below grade		
		Total flow rate					
Date/Time	Time (min)	meter 1 (gal)	cum. (gal)	(gpm)	WL BGS	WL Elev	Head
2/2/2006 10:20	0.00	279510	0	0			
2/2/2006 10:40	20.00	284470	4960	248.0	6.0	2324.0	6.0
2/2/2006 10:50	30.00	287050	7540	258.0	5.7	2324.3	6.3
2/2/2006 11:00	40.00	289770	10260	272.0	5.6	2324.4	6.4
2/2/2006 11:10	50.00	292380	12870	261.0	5.6	2324.4	6.4
2/2/2006 11:20	60.00	294920	15410	254.0	5.6	2324.4	6.4
2/2/2006 11:30	70.00	297520	18010	260.0	5.6	2324.4	6.4
2/2/2006 11:40	80.00	300260	20750	274.0	5.6	2324.4	6.4
2/2/2006 11:50	90.00	302870	23360	261.0	5.7	2324.3	6.3
2/2/2006 12:00	100.00	305420	25910	255.0	5.7	2324.3	6.3
2/2/2006 12:10	110.00	308050	28540	263.0	5.7	2324.3	6.3
2/2/2006 12:20	120.00	310760	31270	273.0	5.7	2324.3	6.3
2/2/2006 12:22	122.00				7.0	2323.0	5.0
2/2/2006 12:23	123.00				8.0	2322.0	4.0
2/2/2006 12:25	125.00				9.0	2321.0	3.0
2/2/2006 12:29	129.00				10.0	2320.0	2.0
2/2/2006 12:37	137.00				11.0	2319.0	1.0

Average gpm @ constant head
 262.6



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Figure 6 - Grain Size Distribution Results

SIEVE ANALYSIS

% COBBLES	% GRAVEL	% SAND	% SILT	% CLAY
22.0	34.0	39.0	5.0	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
6 in.	100.0		
3 in.	78.0		
1.5 in.	61.0		
1 in.	57.0		
3/4 in.	55.0		
1/2 in.	51.0		
3/8 in.	49.0		
#4	44.0		
#10	34.0		
#16	27.0		
#30	17.0		
#40	13.0		
#100	7.0		
#200	5.0		

* (no specification provided)

Soil Description**Atterberg Limits**

PL= LL= PI=

Coefficients

$D_{85} = 95.6$
 $D_{30} = 1.47$
 $C_u = 121.54$

$D_{60} = 35.5$
 $D_{15} = 0.512$
 $C_c = 0.21$

$D_{50} = 11.1$
 $D_{10} = 0.292$

Classification

USCS= SP-SM AASHTO=

Remarks

Sampled by B&A

Sample No.: 1 (06-0054)
Location:

Source of Sample: On site

Date: 1/27/06
Elev./Depth:

**BUDINGER
&
ASSOCIATES, INC.**

Client:
Project: Liberty Lake Estates

Project No: S06011

Reviewed By:

ATTACHMENT F

BUDINGER & ASSOCIATES PRELIMINARY GEOHAZARD EVALUATION REPORT FOR P-07-0001



Proudly serving the Inland Northwest for 30 years

3820 E. Broadway Ave.
Spokane, WA 99202
Tel: 509.535.8841
Fax: 509.535.9589

Brian Main
Flophouse, LLC.
802 N Washington, Suite 100
Spokane, WA 99201

May 18, 2007

Project Number G07123

PROJECT: Liberty View Villas
Liberty Lake, WA

SUBJECT: Formerly Liberty Lakeview Estates -
Geo-hazard Evaluation Preliminary Report

Dear Mr. Main,

We understand that a geological hazard evaluation is required by Spokane County to facilitate residential subdivision and development of the subject property. A previous report dated March 10, 2006, by Budinger and Associates and titled "Geotechnical Report, Evaluation of Drainage and Initial Characterization for Road Cuts, - Liberty Lakeview Estates, Liberty Lake, WA (S06011)" addressed geological features of the site, but the scope of analysis was limited to evaluation of subsurface infiltration potential for use in stormwater management. Since our last report the proposed building plans have changed. This letter is intended supplement to our previous fieldwork at the site and focuses only on possible geological hazards as defined by the Spokane County Critical areas Ordinance. A Vicinity Map and Soil Survey Map are attached to illustrate the site and surrounding area.

Introduction

Spokane County's Critical Areas Ordinance (Spokane County Public Works Department, 1996) requires identification of geologically hazardous areas, principally erosion and landslide hazards (Section 11.20.070). The purpose of the ordinance is to discourage development in geologically hazardous areas unless it can be demonstrated that such areas may be developed consistent with acceptable standards for public health and safety.

Based on this ordinance, erosion and/or landslide hazard areas in Spokane County exhibit at least one of the following characteristics:

- A slope of 30% or greater
- Soils identified by Natural Resource Conservation Service as having a severe potential for erosion
- Hydraulic factors such as existing on-site surface and groundwater or changes in hydraulic factors, caused by proposals that create a severe potential for erosion or landslide hazard
- Areas that historically have been prone to landsliding or with one of the following geologic formations: alluvium, landslide deposits, Latah formation
- Areas of uncompacted fill
- Areas that are unstable as a result of rapid stream or stream bank erosion

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Construction Materials Testing & Inspection*

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Scope of Work

An evaluation of geologic hazards, as specified by the Spokane County Critical Areas Ordinance, was conducted to evaluate feasibility for the proposed development. The scope of work included:

- A review of available geologic and soil information;
- An evaluation of pertinent geologic and hydrologic conditions at the site;
- Field reconnaissance of the subject property;
- Developing professional opinions and recommendations relating to potential geologic hazards as defined by the Critical Areas Ordinance.

This report does not include engineering analysis or design of roadways, utilities, structures or other improvements. Specific geotechnical engineering analysis and mitigation beyond the scope of this study is required by the Critical Areas Ordinance for development and construction in areas with identified geohazards. Evaluation of environmental or permitting issues are also beyond this scope of work but may be provided upon request.

Location and Site Description

The site is located northwest of Liberty Lake, Washington on the west side of Liberty Lake Road, near the intersection of N Liberty Lake Road and Settler Drive. The site occupies approximately 23 acres in the N½, Section 22, T25N, R45E, W.M. as illustrated in the attached Vicinity Map (Figure 1). We understand that 49 residential lots are proposed and that the remainder will be undeveloped at the present time.

Currently there are no permanent structures on the property.

Topographic Characteristics

As stated in our March 2006 report, the ground surface slopes east at 15-50%, with the steepest terrain generally occurring on the eastern half of the site. A majority of the site occupies terrain with slope inclinations of 20% to 40%, as illustrated on the attached Site Map with Slopes. The slopes above the site in the Legacy Hills development are more gradual at approximately 20% or less. Elevations at the site range from 2300 feet in the southwest corner of the property to approximately 2075 feet in the northeast corner of the property. To the south and east are an existing residential development and a city of Liberty Lake water tower. To the east is N Liberty Lake Rd, beyond which is a golf course and housing developments. To the north is a vacant field.

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Geologic Setting

Mapped geologic units at the site include the Mount Rathdrum quartz monzonite, which is predominantly made up of Hauser Lake Gneiss (Precambrian) as described in the March 2006 report. The gneiss was formed from very old sandy sediments that have been chemically and physically altered by changes in heat and pressure over that last 540 million years. Illustrated in cross section on the Washington State Department of Natural Resources Geologic Map, Open File Report 2004-12, are carved valleys in the Precambrian rock in-filled with Quaternary sands and gravels, from the ice age floods. In some cases, such as the northeast corner of the property the gravels are much more angular and comprised of shist-like rocks, indicating that they may have traveled a short distance down the hill as an alluvial deposit; however, due to the amount of vegetation and lower slopes in the immediate area, alluvial activity does not appear to be active. Results of soil borings and test pits throughout the site are described in the March 2006 report.

Erosive Soils

The attached Soil Map illustrates the delineations of soil types mapped by the USDA in the vicinity of the project area. The mapped soil types are:

SuE	Spokane extremely rocky complex	20-70% slopes
StE	Spokane very rocky complex	30-70% slopes
StC	Spokane very rocky complex	0-30% slopes

Soil series with severe erosion potential as defined in the Critical Areas Ordinance are in bold

The predominant soil type mapped at the site is *Spokane extremely rocky complex, 20-70%*, with small areas of *Spokane very rocky complex 0-30%* and *Spokane very rocky complex 30-70%*. *Spokane extremely rocky complex, 20-70%* slopes and *Spokane very rocky complex 30-70%* slopes units have been identified to have the potential for a "severe" erosion hazard, by the Critical Areas Ordinance list of erodible soils. Please note that the *Spokane very rocky complex 0-30%* slopes unit is not identified in the Critical areas Ordinance list of erodible soils.

Hydraulic Factors

We did not observe areas impacted by hydraulic factors that would cause a geologic hazard. Previous borings at the site, with field work in February 2006, encountered groundwater between 23 and 26 feet below ground surface.

Landslide Deposits

We encountered glacial flood deposits over bedrock. We did not observe areas of recent alluvium, landslide deposits, or Latah formation.

Areas of Uncompacted Fill

Areas of uncompacted fill were not encountered during the field survey.

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Areas of Rapid Stream or Stream Bank Erosion

There is a possibility of seasonal flow in the minor drainages; however, we did not observe any evidence of surface water or current stream bank erosion on site. A creek is located at the base of the slope on the east side of Liberty Lake Road; however, the county road is a boundary between the site and the creek that would tend to prevent toe slope erosion at the property. Surface runoff could be rapid due to the steep slopes and shallow soils; however, development of proper stormwater facilities should address runoff concerns. From our experiences we would also like to note that irrigation, or lawn watering, should also be included into stormwater facilities due to the potential for runoff along steep slopes and shallow soils.

Conclusions

Slopes greater than 30% and erosive soils at the subject property are recognized geologic hazards as defined by the Critical Areas Ordinance. Mitigation should include requirement for geotechnical exploration and analysis as basis for design and construction of site grading, roads, utilities, building lots, and drainage facilities specifically addressing slope stability.

Building roads and foundations on the slopes may involve cutting or blasting. Possible scenarios that may need to be addressed with cut slopes include: creating an over steepened slope, cutting into a spring or shallow groundwater, and properly constructing fill slopes.

Constructing 49 residential units will necessitate a great deal of earthwork and change the current topography and hydrology of the site. If the proposed number of residential units will be built we recommend specific engineering evaluation and mitigation as required by the Critical Areas Ordinance.

Based on the research and reconnaissance described herein, we conclude that hydraulic factors, alluvium, landslide deposits, uncompacted fill, or rapid stream bank erosion are not present on scales large enough to be considered geologic hazards.

Our opinion is that potential geologic hazards associated with erosive soils may be mitigated by implementing effective erosion control measures before, during, and following site disturbance and construction.

Limitations

The conclusions presented herein represent our professional opinions based on the limited scope of work performed to date. It is intended for the sole use of our client for the purposes stated herein and should not be used by other parties for other purposes without contacting us to provide specific evaluation and recommendations. Specific geotechnical evaluation and design for individual lots is beyond the scope of this report.

We attempted to complete these services in a manner consistent with the level of skill and care ordinarily exercised by members of the profession currently practicing in this area with similar budget and time constraints. No express or implied warranties are offered or made.

Be aware that Geohazard Evaluation Preliminary reports do not substitute for geotechnical engineering evaluations to design slopes, walls, roads, utilities, structures, and earthwork. We recommend conducting appropriate geotechnical engineering studies during design of your project.

*Budinger & Associates, Inc.
Geotechnical & Environmental Engineers
Construction Materials Testing & Inspection*

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G07123 Liberty View Villas - Preliminary Geohazard Evaluation

Please contact us if you have questions or concerns regarding the information presented herein. Our staff of engineers, geologists, and engineering technicians is available to perform geotechnical engineering, quality control, and materials testing during construction to help you complete a quality project.

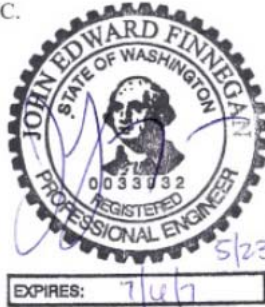
Respectfully Submitted:
BUDINGER & ASSOCIATES, INC.

Chad Pritchard
Staff Geologist

SDB/cjp
Addressee -- 3

Attachments:

- Vicinity Map, Figure 1
- Site Plan, Figure 2
- USDA Web Soil Survey Map, Figure 3



John E. Finnegan, PE, LHG
Geotechnical Engineer

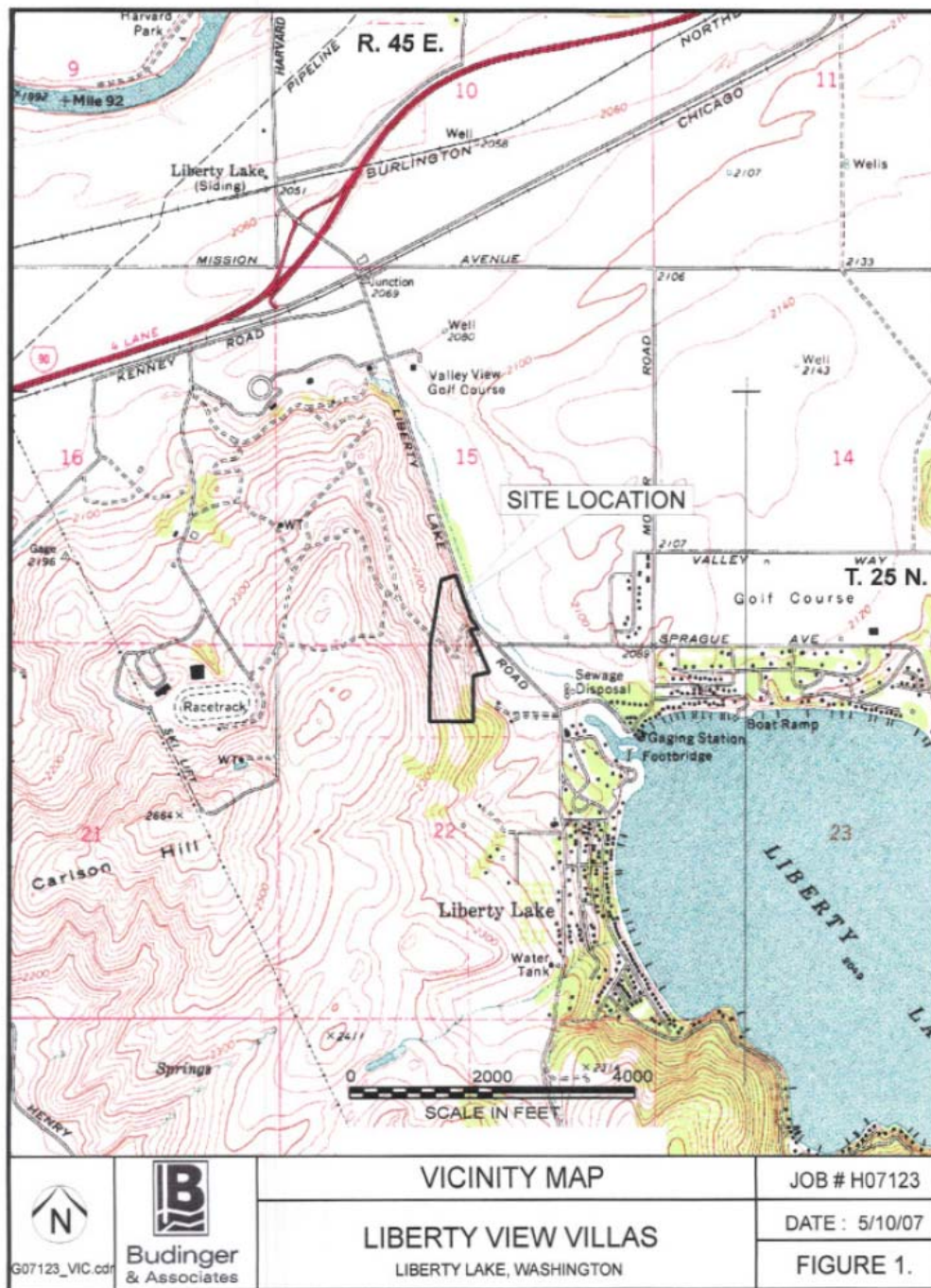
References:

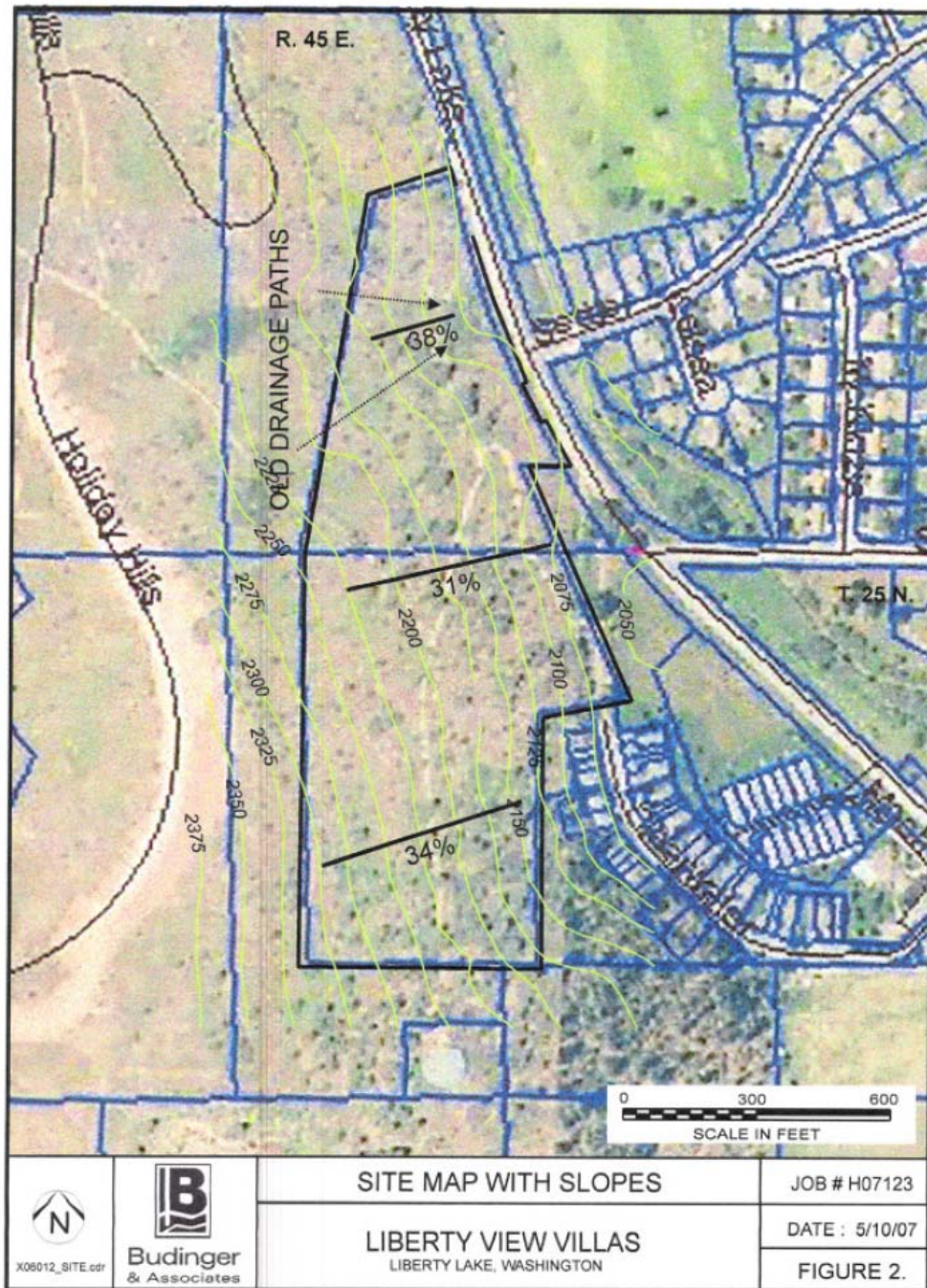
Derkey, R.E.; Hamilton, M.M.; and Stradling, D.F.: Geologic Map of the Washington portions of the Liberty Lake 7.5 minute quadrangle and the south half of the Newman Lake 7.5 minute quadrangle, Spokane County, 1:24000, OFR 2004-12.

Source: Soil types are mapped by the USDA-NRCS Soil Survey, on the Web Soil Survey 1.1 (<http://websoilsurvey.nrcs.usda.gov/app/>) (attached).

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Geotechnical & Environmental Engineers
Construction Materials Testing & Inspection*

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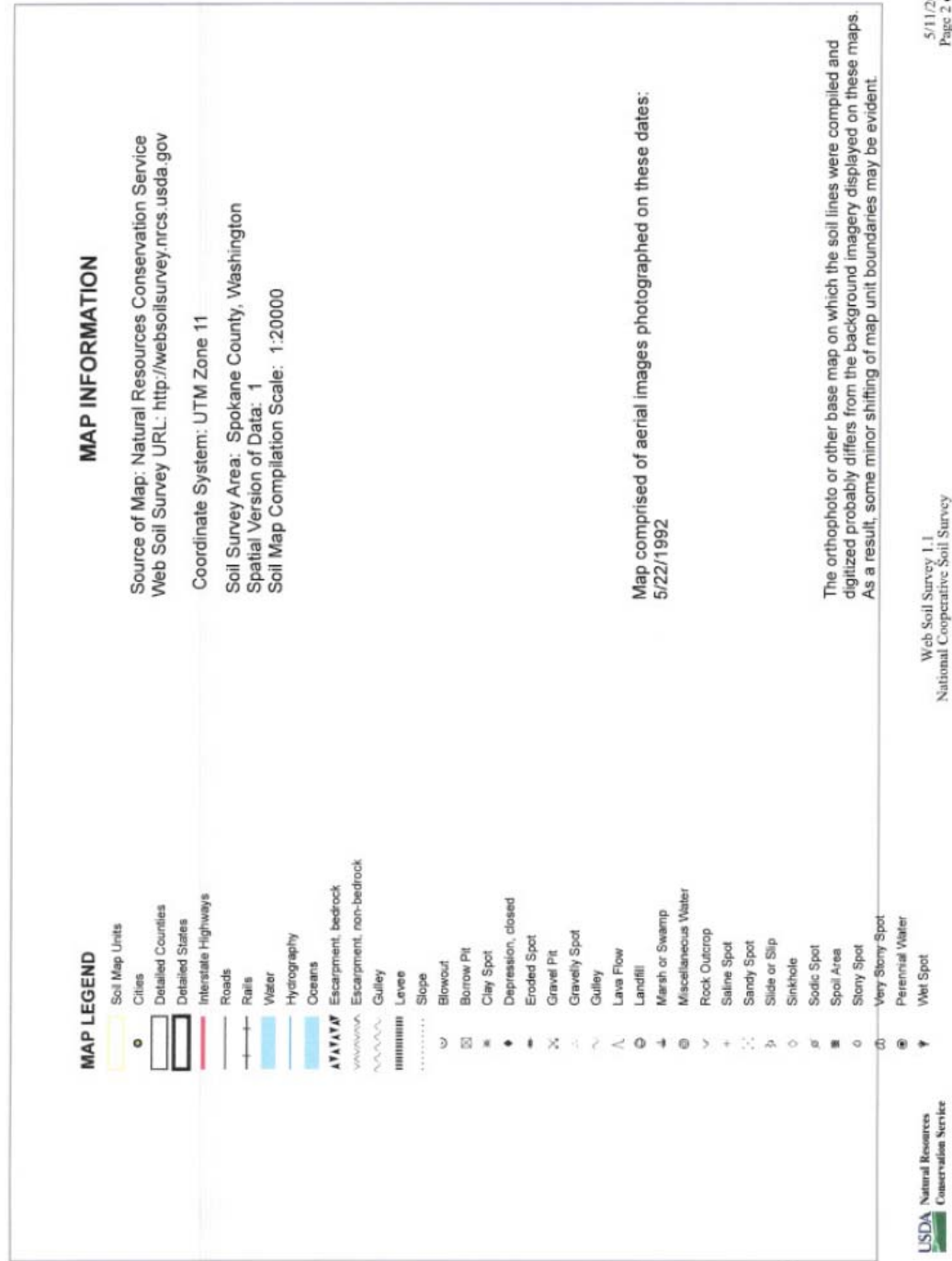
[illegible]

A vertical scale bar labeled "Meters" with markings at 0, 45, 90, and 180.

Web Soil Survey 1.1
National Cooperative Soil Survey

108

SOIL SURVEY OF SPOKANE COUNTY, WASHINGTON



Map Unit Legend Summary

Spokane County, Washington

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BsB	Bong and phoebe loamy sands, 0 to 20 percent slopes	0.0	0.0
StC	Spokane very rocky complex, 0 to 30 percent slopes	0.9	3.7
StE	Spokane very rocky complex, 30 to 70 percent slopes	0.2	1.0
SuE	Spokane extremely rocky complex, 20 to 70 percent slopes	23.2	95.3

ATTACHMENT G

**CORRESPONDENCE FROM LARRY DAWES AT
BIOLOGY, SOILS, & WATER, INC. FOR P-06-0001**



Biology Soil & Water

06-004
FILE COPY

FAX
COVER
SHEET

From: Larry Dawes
Fax number: 509-327-4742
Company: Biology Soil & Water, Inc.
Subject: Liberty Lake Estates
Date: 10/2/06
Pages: 10

Dear John Konen

Please find attached the written testimony I will provide to the Hearing Examiner tomorrow. I will also cover all of this in my oral testimony as well. I revisited the site yesterday and spent a long time checking out the fate of all drainage from the subject streams. All water from draws on the site flows into the ditch along Liberty Lake Drive. The water flows south in the ditch to the wetland located on adjacent property to the south. There is no culvert that allows stormwater to flow into a stream across the road. All of the water remains in the wetland so there is no surface water connection to a Type 1-4 Water and none of the draws are regulated. After a thorough site investigation I decided that was the point I needed to make and that makes all of the issues go away. I am headed out to a meeting, but try to call me when you are free this afternoon to discuss this. I have faxed a copy to the attorney also.
See you tomorrow.
Regards,
Larry

If all pages were not received, call 509-327-2684

Hearing Examiner
City of Liberty Lake

October 3, 2006

Re: Liberty Lake View Estates Critical Areas Issues

Greetings Hearing Examiner:

Storhaug Engineering retained Biology Soil and Water, Inc. (BSW) to investigate the Liberty Lake View Estates property located on the west side of Liberty Lake Drive in the south ½ of Sec 15 and the north ½ of Sec 22, T25N, R45E. BSW was asked to do a reconnaissance survey of the site for wetlands, streams, and critical areas issues and provide a one-page report of findings to Storhaug Engineering. The undersigned investigated the site for Critical Areas on 11 June 2006. **Based on the site investigation, BSW concluded that there were no jurisdictional wetlands or jurisdictional streams on the subject property.**

In September 2006 Storhaug Engineering contacted the undersigned again. BSW was advised that Buddinger and Associates reviewed the site in January 2006 and suggested that one area on a site map could be a wetland or an intermittent stream and warranted further investigation by a qualified professional. Based on the report from Buddinger and Associates, the City of Liberty Lake wished to investigate that area in the field. The undersigned was asked by Storhaug Engineering to accompany City staff into the field and lend scientific expertise to that site visit. BSW revisited the site with City of Liberty Lake staff members Doug Smith and Mary Wren-Wilson on September 25, 2006. **Based on the September 2006 site investigation with City staff, BSW concluded again that the subject area is not a jurisdictional wetland or jurisdictional stream.**

On Monday October 1, 2006 Storhaug Engineering faxed BSW part of the City staff report. The staff report stated that evidence of an intermittent stream path was visible, the path contained damp soil, and small plants including moss. The staff report expressed concerns about a proposed road crossing the intermittent stream. Storhaug Engineering asked the undersigned to provide detailed testimony to the Hearing Examiner and City staff explaining why there are no wetlands or jurisdictional streams on the subject property. I will also address each of the concerns raised by City staff relating to the issue of intermittent streams. First I will address the larger issue of jurisdictional status of the streams on the subject property.

I would also like to go on the record to state that to this day I have never seen the Buddinger report. On the day I met City staff in the field I had no idea what part of the site we were investigating or what the specific issues were. I appreciate their taking the time to visit the subject area in the field. After reading the staff report I now understand the areas of confusion. I obviously did not do an adequate job of answering questions in the field or fully communicate to City staff the basis for my conclusions or I would not have to be here today. For that I apologize to Mary and Doug.

I often do reconnaissance surveys of property for potential buyers or developers and provide a short letter describing Critical Areas issues they must address when they develop the property. That is all I was paid to do and that is all my report was intended to be so I did not provide any detail or justification for my conclusions in that short one page letter.

Storhaug Engineering used the letter of findings for the same purpose Spokane County uses Riparian Specialist and Wetland Specialist form letters. The form letter either simply states that there are no jurisdictional streams or states the stream type and associated buffer. No detail or justification is required by the consultant, only a statement of what is there. The City of Liberty Lake has not adopted a similar process, but I will address that later.

Jurisdictional Status of Draws on the Subject Property

The subject property generally slopes toward the east and Liberty Lake Drive. There are several small draws on the hillside that collect surface water from very small areas of surrounding drainage basin. These draws collect snowfall and precipitation but most of the water infiltrates into the soil and does not appear as surface water. During heavy precipitation events on saturated soils, snow melt, or rain on frozen ground, surface water runs into the subject draws and continues down gradient to Liberty Lake Drive. This surface water runs into the ditch on the west side of Liberty Lake Drive and flows south in the ditch toward a wetland located on adjacent property located south of the subject property. A culvert was placed in a primitive access road to the adjacent property to the south, but the culvert in the ditch is bent upwards and no longer functions properly. Surface water in the ditch infiltrates into the soil but some may still make it to the wetland. If the culvert was repaired, water would make it to the wetland, but the wetland has no surface water connection to the east side of the road and Type 1-4 Waters.

The Water Typing System WAC-222-16-031 states that "Type 5 Waters must be physically connected by an above-ground channel system to Type 1, 2, 3, or 4 Waters." The subject draws do not have physical connection by an above-ground channel system to Type 1, 2, 3, or 4 Waters so the draws on the subject property do not meet the Water Typing System definition of a Type 5 Water and they are not regulated. Under the revised DNR Water Typing System Type 5 Waters are designated as NS or seasonal non-fish streams if they have a physical connection by an above ground channel system to Type 1, 2, 3, or 4 Waters. The definitions did not change, only the names of the categories have changed. The intermittent streams on the subject property are not classified as Type NS or Type 5 Waters and are not regulated regardless of whether you use the old or new stream type designations.

That was the basis for my conclusion that there are no jurisdictional streams on the subject property. I did not explain that in my letter to Storhaug Engineering because I knew all of that was understood by John Konen. John Konen knows that developer needs to place an appropriate sized culvert in each draw crossed with a road and they are aware that there may be seasonal flow in the draws, but the draws are not regulated. That is the information they wanted to find out from me, are the intermittent streams on the property jurisdictional. My report simply stated that none of the draws are jurisdictional streams.

Description of the Subject Area

An existing access road enters the north end of the property from Liberty Lake Drive, curves and proceeds to the southwest as it climbs up gradient. An east/west oriented draw proceeds down hill and intersects the access road about 100 feet south of entrance to the property. The drainage basin of the draw is very small and only includes the immediately adjacent hillsides that slope into the draw. The bottom of the draw is narrow and the sides are relatively steep. The bottom of the draw is vegetated with rose, snowberry, serviceberry, ninebark, and other upland shrubs.

Just above the access road the bottom of the draw becomes broader and less well defined. Prior to historical disturbance and construction of the existing primitive road, the draw may have continued east down gradient another 50 feet or so to Liberty Lake Drive, but it no longer does. Any seasonal surface water in the draw now runs down gradient to the northeast in the same direction as the access road.

A little further south from this draw a second small draw develops that I investigated in the field with the City of Liberty Lake. Along Liberty Lake Drive and below the existing access road the hillside slopes gently toward Liberty Lake Drive. Below the access road and several yards south of the first mentioned draw, a rock outcrop juts out toward Liberty Lake Drive. The north side of the outcrop slopes toward the north forms the second draw. The bottom of the draw is a wooded area about 50 feet wide. The draw begins below the existing access road and extends about 100 feet east toward Liberty Lake Drive.

There may be some confusion on the part of City staff regarding the two draws because reference was made to the draw being crossed with a road or driveway in the staff report. The two draws described here do not have a hydrologic connection. The northmost draw flows down hill to the existing access road, then surface water flows to the northeast along the pathway of the road. The second draw is located a few yards further south and originates below the existing access road. This draw is very short and collects water from a very small area of drainage. The entire draw is about 100 feet long and collects water from an area that is about 100 feet wide including the draw itself.

The fate of the water in both draws is the same so it really does not matter because neither draw is regulated. But it is necessary to address this as it goes to the amount of hydrology in the lower draw investigated in the field with City staff on September 25, 2006. I did not see evidence of sufficient hydrology to even call this short draw a stream. City staff refers to this draw as potentially being crossed with a road so I wanted to clarify that these two draws are not hydrologically connected and that may be part of the confusion that I need to straighten out here.

Methodology

The Washington Administrative Code has completely different definitions for wetlands and streams so they are treated differently under the law. Most local jurisdictions have one set of buffer widths for streams based on Water Types defined in the WAC's and a different set of buffer widths for each wetland category. The methodology for delineating a wetland is defined by the Army CORP of Engineers 1987 manual. The Federal Manual for the Delineation of Jurisdictional Wetlands, (Corp of Engineers, 1987) was used as a guideline and reference for the site investigation. The routine determination procedures require a positive indicator for the three lines of evidence used to make a wetland determination: hydrophytic vegetation, hydric soils, and hydrology. A site must have all three wetland indicators to be classified as a wetland.

The staff report states that the stream path was damp. BSW concurs that in the subject area the surface soils were damp on the morning of the investigation. I immediately noticed that, but I also noticed that when my boot scuffed the surface soil, the underlying soils were very dry. I concluded that surface moisture was from dew in the humid draw where the early morning sun had not yet fallen to dry the damp surface. I also noted that the surface soils were brown in color and indicated an upland landscape position. The surface soils were not a dark hydric soil that would be found in a wetland.

After reading the reference to damp soils in the City staff report I returned to the site and dug two test holes to a depth of 20+ inches in the lowest elevational contour of the draw. The surface layer was damp from dew to a depth of about 1/8-inch. The soils were even drier than field capacity and had a very low moisture content consistent with an upland landscape position.

The surface soils were 10YR2/2 gravelly silt loam to a depth of greater than 20 inches consistent with an upland landscape position. No mottling was present in the upper 20 inches to indicate the influence of a high water table during the growing season. The soils do not indicate saturated conditions during the growing season in the top 20 inches of the soil profile. There were no drift lines, sediment deposits, water stained leaves, oxidized root channels, or indicators of reducing conditions in the soil during the growing season. In order for a site to be a wetland it has to meet all three of the wetland criteria including soils, vegetation, and hydrology. The site does not have hydric soils so it is not a wetland.

Vegetation in the Draw

The staff report states that the subject area contained moss and other small plants. The Northwest Interagency Review Panel provides a list of plant species specific to the northwest that are indicators of wetlands in our area. No mosses are on the list. However the same moss species indicated in the City staff report also grows on adjacent areas of the subject property on decaying logs, the surfaces of rocks, and in the decaying humus on the forest floor in distinctly upland landscape positions. It is not a wetland indicator species. This moss species only needs a small amount of dampness to thrive.

The outcrop and hillside surrounding the draw has thin soils and a Ponderosa pine overstory that extends down into the draw. The woody overstory of the draw is dominated by aspen with a few hawthorns in the very bottom of the draw, both of which are facultative species that are found with equal regularity in wetlands and uplands. Aspen/snowberry and aspen/sagebrush habitat types are common and neither habitat type occurs in wetlands. These tree species have long roots that penetrate deep into the soil to

obtain water when it is not available close to the surface as in wetland conditions. However, the upland species tall Oregon grape, ninebark, snowberry, serviceberry, and rose dominate the shrub overstory. The herbaceous understory is also dominated by upland species. There is a small percentage of St. John's wort, a Facultative species that is found with equal regularity in wetlands and uplands, but the herbaceous understory is definitely dominated by upland species. Well represented the subject area are knapweed and arrowleaf balsamroot, herbaceous species that, like all of the shrub species, are never found in wetlands.

The tree canopy is dominated by species that sometimes occur in wetlands. However, the shrub and herbaceous canopies are dominated by upland species so the site does not meet the vegetation criteria for being a wetland. When the standard methodology for determining the wetland vegetative criteria is applied and percent relative canopy covers for all three canopy levels are averaged, the site does not come close to meeting the vegetative criteria for being a wetland.

One would not expect the site to meet the wetland hydrology criteria this late in the growing season, so the investigator must rely on indicators of hydrology in the vegetation and soil. The vegetation and soils do not have indicators of wetland hydrology. None of the wetland criteria are met so the site is not a wetland.

Riparian Areas

A stream Ordinary High Water Mark (OHWM) delineation is based on evidence of high water during a normal year and definitions of Water Types in the Washington Administrative Code. In assessing the subject area in June 2006, BSW followed the well-defined methodology for determining the OHWM of a stream. High water effects on vegetative species, water marks on woody vegetation, and drift lines are all evaluated in determining the OHWM. The OHWM is defined as the process of ascertaining where the presence and action of waters are so common and usual, and so long continued in normal years, as to mark on the soil a character distinct from that of the abutting upland in respect to vegetation.

Seasonal hydrology in the subject area is so negligible that it has had no effect on the character of shrub and herbaceous vegetation. Apart from the deep-rooted trees, the subject draw has distinctly upland vegetation. There is no water stained bark on trees and there are no drift lines, stratified alluvium in the soils, or scours from surface water that would indicate a defined channel in the subject area. However, Type 5 or Type NS Waters do not have to have a defined channel. Waterways in swale bottoms can often be 50-100 feet wide without well-defined channels in some areas then neck down through narrow rock outcrops and have well defined channels. Surface water may flow across the subject area as shallow sheet flow and not leave any marks or create a well-defined channel. I did not think the subject area had a defined channel, the City staff did. I did not think the 100-150 foot long draw was large enough or met the criteria to be called a stream, the City staff did. However, the questions of whether there is a channel or not or whether it is an intermittent stream or not are academic. The only relevant question is whether there is a surface water connection to a Type 1-4 Water. There is not so the area is not a regulated stream.

Conclusions

During the winter months when Buddinger investigated the site, it would be quite common to find standing water in small upland depressions due to conditions of saturated soils or rain on frozen soils. It is also common in the winter to find rivulets of water running down hillside draws during precipitation, snow melt, or saturated soil conditions. Those areas may be, but are not necessarily, wetlands or streams. No one at Buddinger has expertise to make a wetland or Water Type determination, so Buddinger showed due diligence by suggesting that the subject area needed further investigation by a qualified biologist. As a result of the Buddinger recommendation, BSW was retained to investigate the site and submit a report of findings based on professional interpretation of evidence at the site. That report, submitted in June 2006, concluded there are no jurisdictional wetlands or streams on the subject property. Based on a recent more detailed investigation of the site my conclusions are the same.

The Water Typing System WAC-222-16-031 states that "Type 5 Waters must be physically connected by an above-ground channel system to Type 1, 2, 3, or 4 Waters." None of the draws on the subject property have a physical connection by an above-ground channel system to Type 1, 2, 3, or 4 Waters so the draws on the subject property do not meet the Water Typing System definition of a Type 5 Water and are not regulated. This is a very straightforward site and there should be no controversy regarding the jurisdictional status of the subject area. Based extensive professional experience in the application of the Water Typing System the undersigned concludes that there is not a jurisdictional stream on the subject property. There are no wetland indicators in the draw so the area is not a wetland.

Critical Areas Investigations

Planning departments can either hire qualified biologists to complete wetland and riparian investigations and reports, or utilize qualified professionals from the community. BSW recommends that the City of Liberty Lake request resumes showing educational and professional experience from local consultants and compile a list of Qualified Biologists that can be relied on to make accurate field determinations on jurisdictional matters. When Wetland Inventory Maps, DNR Stream Type Maps, or other planning tools indicate that wetlands or streams could be present on a site, the property owner would be required to hire a qualified professional from the City list who will investigate the site and make a scientific report of findings that the planning department can use in the processing of applications.

Spokane County has compiled a list of Qualified Biologists and has also adopted Wetland Specialist and Riparian Specialist form letters to streamline the permitting process. **Riparian Specialist** form letters allow biologists in the field to apply the Water Typing System defined in the WAC's, apply the recommended buffer widths, and report the findings on a form letter that can be used by planners who are not qualified biologists to process routine applications. The **Wetland Specialist** form letters allow biologists to apply in the field wetland delineation criteria to determine a Wetland Category and buffer width and report the findings on a form letter that can be used by planners.

The form letter format allows planners to know that more extensive field review by local jurisdictions is not necessary because their well-defined criteria have been applied when making the routine field determinations. The form letters are especially useful on small projects where all proposed activities will be located outside of the buffer and the expense of a formal delineation and report is not warranted for an individual homeowner. Formal delineation is still required on larger projects where it is necessary to survey a delineated boundary and plot it on a site plan map. Please find attached a copy of each form letter for review and consideration.

The form letters authorize a well-established procedure that is used so that Cities and Counties do not have to hire qualified scientists to do site reviews. This methodology also prevents long written responses, testimony at hearings, and explanations of simple issues that can only be resolved in the field by professionals with expertise in the relevant science fields. Please consider adopting the attached form letters to simplify the reporting process. Thank you for the opportunity to provide testimony.

Respectfully submitted,

Larry Dawes
Biology Soil & Water, Inc
W. 725 Chelan
Spokane, WA 99205
Phone 509-327-2684
Fax 509-327-4742

WETLAND SPECIALIST LETTER

I, Larry Dawes (print name), am a "qualified wetlands specialist" as defined in Section 1.20.020 of the Spokane County Critical Areas Ordinance. My business name, mailing address and phone number(s) are as follows:

Company Name: Biology Soil & Water, Inc.
Mailing Address: West 725 Chelan
City, State, Zip: Spokane, WA 99205
Phone Number: 509-327-2684
Fax Number: 509-327-4742

FINDINGS: (INITIAL ONE of the below findings)

_____ I find that the below property DOES NOT have a wetland or a wetland buffer on the property.

_____ I find that the below property DOES have a wetland and wetland buffer within the near vicinity of the below described project. The wetland is a Category _____ wetland and it has a _____ ft wetland buffer. The project will be _____ ft beyond the wetland buffer.

_____ I find that the project DOES NOT conform to the wetland buffer setback and needs further review/approval by Spokane County to comply with the Spokane County Critical Areas Ordinance.

PROPERTY: The street address of the proposed project is: _____
The tax parcel number of the projects property is: _____

SITE PLAN: See the attached site plan of the above property, which illustrates the location of the wetland(s) and the wetland buffer(s).

PROPERTY OWNER:

Name: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____

PROJECT DESCRIPTION: _____

WETLAND SPECIALIST SIGNATURE:

I visited the above property, evaluated the site for wetlands and wetland buffers using the criteria established in the Spokane County Critical Areas Ordinance and find the above to be true.

SIGNATURE

DATE

Mail copy to: Spokane County Building & Planning, 1026 W. Broadway, Spokane, WA 99260 Phone: (509)477-3675

RIPARIAN STREAM LETTER

I, Larry Dawes (print name), have measured the channel width perpendicular from the proposed development. My name, mailing address and phone number(s) are as follows:

Company Name: Biology Soil & Water, Inc.
Mailing Address: West 725 Chelan
City, State, Zip: Spokane, WA 99205
Phone Number: 509-327-2684
Fax Number: 509-327-4742

FINDINGS: (INITIAL ONE of the below findings)

_____ I find that the below property DOES NOT have a stream nor a riparian habitat buffer on the property.

_____ I find that the below property DOES have a stream and riparian habitat buffer within the near vicinity of the below described project. The stream is a Type _____ stream and it has a _____ ft riparian habitat buffer. The project will be _____ ft beyond the riparian habitat buffer.

_____ I find that the project DOES NOT conform to the riparian habitat buffer setback and needs further review/approval by Spokane County to comply with the Spokane County Critical Areas Ordinance.

PROPERTY: The street address of the proposed project is: _____
The tax parcel number of the projects property is: _____

SITE PLAN: See the attached site plan of the above property, which illustrates the location of the stream(s) and the riparian habitat buffer(s).

PROPERTY OWNER:

Name: _____
Mailing Address: _____
City, State, Zip: _____
Phone Number: _____

PROJECT DESCRIPTION: _____

SIGNATURE:

I visited the above property, measured the stream channel, and riparian buffers using the criteria established in the Spokane County Critical Areas Ordinance and find the above to be true.

SIGNATURE _____ DATE _____

Mail copy to: Spokane County Building & Planning, 1026 W. Broadway, Spokane, WA 99260 Phone: (509)477-3675

BIOLOGY SOIL & WATER, INC.

W. 725 Chelan, Spokane WA 99205-3245

John Koenen
Storhaug Engineering
510 E. Third Avenue
Spokane, WA 99202

June 12, 2006

Re: Liberty Lake View Estates Critical Areas Issues

Greetings John Koenen:

Rudeen Development, LLC retained Biology Soil and Water, Inc. (BSW) to complete a reconnaissance survey of the Liberty Lake View Estates property located on the west side of Liberty Lake Drive in the south 1/4 of Sec 15 and the north 1/4 of Sec 22, T25N, R45E. The undersigned investigated the site for Critical Areas on 11 June 2006. Based on the site investigation, BSW concludes that there are no jurisdictional wetlands or streams on the subject property. The subject property does not fall within a colored polygon on the Spokane County Fish and Wildlife Conservation Areas Map that would indicate protection of a species or habitat is suggested by WDF&W. The undersigned did not identify any species listed by State or Federal agencies that has Threatened, Endangered, Candidate, Sensitive, Monitor or Proposed status.

The subject property is not encumbered by the buffer of any jurisdictional wetland or stream. The DNR Stream Types Map classifies the stream on the east side of Liberty Lake Drive as a Type 4 Water with a 75-foot buffer. That buffer extends toward Liberty Lake Drive and the subject property. At its intersection with Liberty Lake Drive the existing primitive access road to the subject property lies outside the riparian buffer. That access road will be made wider and improved to accommodate the proposed development. Construction of the access road will not result in a buffer impact to the stream on the opposite side of Liberty Lake Drive. No development will occur in the stream buffer. Based on the site reconnaissance survey, BSW did not identify any potential Critical Areas issues. If BSW can be of further assistance on this project, please contact the undersigned at your convenience.

Respectfully submitted,

Larry Dawes
Larry Dawes
Biology Soil & Water, Inc.
W. 725 Chelan
Spokane, WA 99205
Phone 509-327-2684
Fax 509-327-4742

phone (509)-327-2684

fax (509)-327-4742

email bswinc@icehouse.net





Biology Soil & Water, Inc.

FAX COVER SHEET

From: Larry Dawes
Fax number: 509-327-4742
Company: Biology Soil & Water, Inc.
Subject:
Date: 8/14/06
Pages: 2

Dear Amanda Tainio:

Please find attached a revised letter indicating there are no NWI wetlands or associated buffers on the subject property. Sorry about the fax quality, but you would not be able to open an emailed file written on my company letterhead. Thank you.

Regards,
Larry Dawes

If all pages were not received, call 509-327-2684

BIOLOGY SOIL & WATER, INC.

W. 725 Chelan Spokane WA 99205-3245

John Koran
 Sothaug Engineering
 510 E. Third Avenue
 Spokane, WA 99202

August 14, 2006

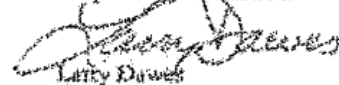
Re: Liberty Lake View Estates Critical Areas Issues

Greetings John Koran:

Rudeen Development, LLC retained Biology Soil and Water, Inc. (BSW) to complete a reconnaissance survey of the Liberty Lake View Estates property located on the west side of Liberty Lake Drive in the south 1/4 of Sec 15 and the north 1/4 of Sec 22, T25N, R45E. The undersigned investigated the site for Critical Areas on 11 June 2006. Based on the site investigation, BSW concludes that there are no jurisdictional wetlands or streams on the subject property. No wetlands on the NWI map or their buffers encumber the subject property. The subject property does not fall within a colored polygon on the Spokane County Fish and Wildlife Conservation Areas Map that would indicate protection of a species or habitat is suggested by WDF&W. The undersigned did not identify any species listed by State or Federal agencies that has Threatened, Endangered, Candidate, Sensitive, Monitor or Proposed status.

The subject property is not encumbered by the buffer of any jurisdictional wetland or stream. The DNR Stream Types Map classifies the stream on the east side of Liberty Lake Drive as a Type 4 Water with a 75-foot buffer. That buffer extends toward Liberty Lake Drive and the subject property. At its intersection with Liberty Lake Drive the existing primitive access road to the subject property lies outside the riparian buffer. That access road will be made wider and improved to accommodate the proposed development. Construction of the access road will not result in a buffer impact to the stream on the opposite side of Liberty Lake Drive. No development will occur in the stream buffer. Based on the site reconnaissance survey, BSW did not identify any potential Critical Areas issues. If BSW can be of further assistance on this project, please contact the undersigned at your convenience.

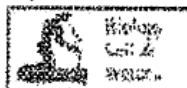
Respectfully submitted,



Larry Dawes
 Biology Soil & Water, Inc.
 W. 725 Chelan
 Spokane, WA 99205
 Phone 509-327-2584
 Fax 509-327-2584

phone (509)-327-2584

fax (509)-327-2742



ATTACHMENT H
AGENCY COMMENTS



**SPOKANE COUNTY
AIR POLLUTION
CONTROL AUTHORITY**

WEST 1101 COLLEGE AVE, SUITE 403 • SPOKANE, WASHINGTON 99201 • (509) 477-4727 • FAX (509) 477-6828 • www.scapca.org

Date: **February 27, 2007**

To: **Amanda Tainio, Senior Planner**
The City of Liberty Lake Planning & Community Development Department
22710 E. Country Vista Blvd.
Liberty Lake, WA 99019

From: Chuck Studer, Air Quality Engineer I

RE: SCAPCA REQUIREMENTS FOR:

File No. **Unknown**

Proponent / Project Name: **Preliminary plat for 49 single family lots & 3 tracts reserved for future recreation uses - West of Liberty Lake Rd. & Settler Dr.**

☒ Comments on Pre-Application Transmittal on **March 6, 2007 @ 9:00 a.m.**

The following is a list of concerns/issues that may need to be addressed for this project as determined from information received by this office. The list is provided as a brief summary of general requirements and does not relieve the proponent from meeting all local, state, and/or federal regulations. For additional information or clarification, contact SCAPCA at (509) 477-4727. Copies of SCAPCA regulations are available for purchase in our office or can be viewed and downloaded from <http://www.scapca.org>.

Construction related requirements

- Dust emissions during demolition, construction and excavation projects must be controlled. This may require the use of water sprays, tarps, sprinklers, or suspension of activity during certain weather conditions.
- Measures must be taken to avoid the deposition of dirt and mud from unpaved surfaces onto paved surfaces. If tracking or spills occur on paved surfaces, measures must be taken immediately to clean these surfaces.
- Debris generated as a result of this project must be disposed of by means other than burning.
- SCAPCA strongly recommends that all traveled surfaces (i.e. ingress, egress, parking areas, access roads, etc.) be paved and kept clean to minimize dust emissions.
- If objectionable odors result from this project, effective control apparatus and measures must be taken to reduce odors to a minimum.
- Special attention should be given to proper maintenance of diesel powered construction equipment to reduce the impact of diesel exhaust, a suspected carcinogen.

Additional requirements

- A Notice of Construction and Application for Approval is required to be submitted and approved by SCAPCA prior to the construction, installation, or establishment of an air pollution source. This includes emergency generators rated at 500 hp (375 kW) or higher, natural gas heating equipment units rated at 4 MMBTU/hr or higher (input), and heating equipment units fired with other fuels (e.g. diesel) rated at 1 MMBTU/hr (input) or higher. Contact SCAPCA for a Notice of Construction application.
- A Notice of Intent must be submitted to SCAPCA prior to any demolition project or asbestos project. An asbestos survey must be done by an AHERA accredited building inspector prior to the demolition or renovation of buildings to determine if asbestos-containing material is present at the site. Contact SCAPCA for a Notice of Intent application.

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Avista Utilities

1411 East Mission PO Box 3727 MSC-25
Spokane, Washington 99220-3727
Telephone 509-489-0500
Toll Free 800-727-9170
Facsimile 509-495-8734



March 7, 2007

Amanda Tainio, Assistant Planner
Planning & Community Development
22710 E. Country Vista Boulevard
Liberty Lake, WA 99019

RE: Liberty View Villa's

Dear Ms. Tainio:

Avista has reviewed the plat referenced above and would like to request a 10' utility easement behind the sidewalk or drainage swale, or behind the road boundaries for all public and private roads together with the 30' easement strip along the common lot line of lots 1-2 on both blocks. Please also include the following dedication language:

"Dry" utility easements shown on the herein described plat are hereby dedicated for the use by serving utility companies for the construction, reconstruction, maintenance, protection, inspection and operation of their respective "Dry" facilities; fiber optics, cable, phone, natural gas and electric. The rights granted herein prohibit changes in-grade that alter coverage of underground facilities, the installation of water meter boxes and the placement of surface structures of brick, rock or masonry that may interfere with the rights granted herein. The installation of street light poles is also prohibited unless installed by the serving utility. Utility companies shall also have the right to trim or remove trees, bushes, and landscaping, without compensation, when they are situated within the easement strip. This provision shall not prohibit fences or any lateral crossings of the easement strips with water or sewer lines.

With that change, the plat can be approved as now proposed.

If you have any questions, please call Claude Kaler at (509) 495-4441.

Sincerely,

A handwritten signature in black ink, appearing to read "Sherry Miller".

Sherry Miller
Real Estate Assistant

cc: John Konen, Storhaug Engineering
Claude Kaler, Avista



22510 East Mission Avenue • Liberty Lake, WA 99019
(509) 922-5443 District Office • (509) 928-6123 Treatment Facility • (509) 926-7691 FAX

May 25, 2007

Amanda Tainio, Senior Planner
City of Liberty Lake
22710 E. Country Vista Blvd
Liberty Lake, WA 99019

Re: Liberty View Villas

Dear Amanda,

The District has reviewed the preliminary plat of Liberty View Villas. Water and sewer is available for this plat and will be provided on a first come first served basis. Due to the elevation of the plat, a water booster station will be required for the proposed lots. In addition, due to the number of lots (49), the District will require storage for fire flow, peaking and emergency conditions. The engineer for the project has been notified of these requirements.

For additional information, please contact me at 922-9016.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Lee Mellish".

K. Lee Mellish
Manager

Cc: Storhaug Engineering

Tom Agnew
President

Harley Halverson
Secretary

Frank L. Boyle
Commissioner

Avista Utilities
1411 East Mission PO Box 3727 MSC-25
Spokane, Washington 99220-3727
Telephone 509-489-0500
Toll Free 800-727-9170
Facsimile 509-495-8734



June 12, 2007

Amanda Tainio, Assistant Planner
Planning & Community Development
22710 E. Country Vista Boulevard
Liberty Lake, WA 99019

RE: Liberty View Villas
Liberty Lake, WA

Dear Ms. Tainio:

Avista has reviewed the plat referenced above and would like to request the following dedication language:

Utility easements shown on the herein described plat are hereby dedicated for the use by serving utility companies for the construction, reconstruction, maintenance, protection, inspection and operation of their respective facilities; fiber optics, cable, phone, natural gas and electric. The rights granted herein shall prohibit: Encroachment of drainage swales or '208 structures' when they interfere with the utilization of these easement strips by the serving utilities; Changes in-grade that alter coverage over installed facilities; Installation of water meter boxes; Placement of surface structures of brick, rock or masonry that interfere with the rights granted herein. The installation of street light poles is also prohibited unless installed by the serving utility company. Utility companies shall also have the right to trim or remove trees, bushes, and landscaping, without compensation, when they are situated within the easement strip. This provision shall not prohibit fences or any lateral crossings of the easement strips with domestic water or sewer lines.

Please remember that the dedication language must be depicted on the face of the plat.

If you have any questions, please call Claude Kaler at (509) 495-4441.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sherry Miller".

Sherry Miller
Real Estate Assistant

cc: Claude Kaler, Avista



1101 W. College Ave., Suite 403, Spokane, WA 99201 • (509) 477-4727 • Fax (509) 477-6828 • www.spokanecleanair.org

Date: June 8, 2007

To: Amanda Tainio, Senior Planner
The City of Liberty Lake Planning & Community Development Department
22710 E. Country Vista Blvd.
Liberty Lake, WA 99019

From: Chuck Studer, Air Quality Engineer I

RE: SPOKANE REGIONAL CLEAN AIR AGENCY REQUIREMENTS FOR:

File No. P-07-0001

Proponent / Project Name: Create 49 single lots in the R-1 zone, 2 open space tracts in the O zone & 2 tracts for private street system, W. of Liberty Lk. Rd. & Settler Dr.

☒ Request for Comments by June 19, 2007 @ 4:00 p.m.

The following is a list of concerns/issues that may need to be addressed for this project as determined from information received by this office. The list is provided as a brief summary of general requirements and does not relieve the proponent from meeting all local, state, and/or federal regulations. For additional information or clarification, contact SCAPCA at (509) 477-4727. Copies of SCAPCA regulations are available for purchase in our office or can be viewed and downloaded from <http://www.scapca.org>.

Construction related requirements

- Dust emissions during demolition, construction and excavation projects must be controlled. This may require the use of water sprays, tarps, sprinklers, or suspension of activity during certain weather conditions.
- Measures must be taken to avoid the deposition of dirt and mud from unpaved surfaces onto paved surfaces. If tracking or spills occur on paved surfaces, measures must be taken immediately to clean these surfaces.
- Debris generated as a result of this project must be disposed of by means other than burning.
- SCAPCA strongly recommends that all traveled surfaces (i.e. ingress, egress, parking areas, access roads, etc.) be paved and kept clean to minimize dust emissions.
- If objectionable odors result from this project, effective control apparatus and measures must be taken to reduce odors to a minimum.
- Special attention should be given to proper maintenance of diesel powered construction equipment to reduce the impact of diesel exhaust, a suspected carcinogen.

Additional requirements

- A Notice of Construction and Application for Approval is required to be submitted and approved by SCAPCA prior to the construction, installation, or establishment of an air pollution source. This includes emergency generators rated at 500 hp (375 kW) or higher, natural gas heating equipment units rated at 4 MMBTU/hr or higher (input), and heating equipment units fired with other fuels (e.g. diesel) rated at 1 MMBTU/hr (input) or higher. Contact SCAPCA for a Notice of Construction application.
- A Notice of Intent must be submitted to SCAPCA prior to any demolition project or asbestos project. An asbestos survey must be done by an AHERA accredited building inspector prior to the demolition or renovation of buildings to determine if asbestos-containing material is present at the site. Contact SCAPCA for a Notice of Intent application.

working with you for clean air

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FAX

**Washington Department of Ecology
4601 North Monroe Street
Spokane, Washington 99205-1295
Phone: (509) 329-3400 Fax: (509) 329-3529**

**TO Ms. Amanda Tainio
Planning & Community Development
Liberty Lake, WA**

DATE 6/19/2007

PHONE (509) 755-6707

FAX (509) 755-6713

**FROM Terri Costello
SEPA Coordinator
Phone: (509)329-3550
Email: temi461@ecy.wa.gov**

PAGES 2 (Including Cover)

MESSAGE



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

June 19, 2007

Ms. Amanda Tainio
Associate Planner
Planning and Community Development Department
22710 E. Country Vista Blvd.
Liberty Lake, WA 99019

Dear Ms. Tainio:

Thank you for the opportunity to comment on the Notice of Application regarding the Liberty Lake Villas Preliminary Plat (Proponent – Dave Largent, Ted Miller, Brian Main). The Department of Ecology has reviewed the documents and has the following comments:

Solid Waste Program

It is preferable to leave the existing vegetation undisturbed for both aesthetic and practical reasons. However, if it must be removed the applicant is encouraged to dispose of it at a compost facility or replant it elsewhere.

Landscaping should incorporate waste prevention measures and the use of organic materials. Water needs are reduced by use of drought tolerant plantings, compost material, mulch, and drip irrigation. Pesticide and herbicide use is eliminated or reduced by use of pest resistant and native plantings. Compost is also an effective soil amendment. Chipped woody debris can be used to mulch ornamental beds, suppress weeds, retain moisture, control erosion, and provide a base for pathways. We also recommend using organic debris generated on-site if possible for landscaping.

We encourage the applicant to use construction products containing recycled and non-toxic materials whenever possible, to reuse and recycle all leftover construction materials, and reduce waste generated and practice "Green Building" principals in all aspects of the project. Recycling construction debris is typically less expensive than disposal. Please contact Allison Gray at (509)329-3448 or agra461@ecy.wa.gov for assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terri Costello".

Terri Costello
SEPA Coordinator
Department of Ecology
Eastern Regional Office
4601 N. Monroe Street
Spokane, WA 99205-1295
Phone: (509)329-3550
Email: tem161@ecy.wa.gov

E07-381; 2007-4506

cc: Dave Largent, Ted Miller, Brian Main





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

June 19, 2007

Ms. Amanda Tainio
Associate Planner
Planning and Community Development Department
22710 E. Country Vista Blvd.
Liberty Lake, WA 99019

Dear Ms. Tainio:

Thank you for the opportunity to comment on the Notice of Application regarding the Liberty Lake Villas Preliminary Plat (Proponent – Dave Largent, Ted Miller, Brian Main). The Department of Ecology has reviewed the documents and has the following comments:

Solid Waste Program

It is preferable to leave the existing vegetation undisturbed for both aesthetic and practical reasons. However, if it must be removed the applicant is encouraged to dispose of it at a compost facility or replant it elsewhere.

Landscaping should incorporate waste prevention measures and the use of organic materials. Water needs are reduced by use of drought tolerant plantings, compost material, mulch, and drip irrigation. Pesticide and herbicide use is eliminated or reduced by use of pest resistant and native plantings. Compost is also an effective soil amendment. Chipped woody debris can be used to mulch ornamental beds, suppress weeds, retain moisture, control erosion, and provide a base for pathways. We also recommend using organic debris generated on-site if possible for landscaping.

We encourage the applicant to use construction products containing recycled and non-toxic materials whenever possible, to reuse and recycle all leftover construction materials, and reduce waste generated and practice "Green Building" principals in all aspects of the project. Recycling construction debris is typically less expensive than disposal. Please contact Allison Gray at (509)329-3448 or agra461@ecy.wa.gov for assistance.

Sincerely,

Terri Costello
SEPA Coordinator
Department of Ecology
Eastern Regional Office
4601 N. Monroe Street
Spokane, WA 99205-1295
Phone: (509)329-3550
Email: temi61@ecy.wa.gov

E07-381; 2007-4506

cc: Dave Largent, Ted Miller, Brian Main



WELCH COMER
 & ASSOCIATES, INC.
ENGINEERS & SURVEYORS

IDAHO
1626 Lincoln Way
Coeur d'Alene, ID 83814
208-664-9382
Fax 208-664-5946

WASHINGTON
P.O. Box 861
Liberty Lake, WA 99019
509-255-6000
Fax 509-255-6009

Toll free
1-877-815-5872

E-mail
wc@welchcomer.com

June 26, 2007

Mr. Doug Smith
City of Liberty Lake
22710 E. Country Vista Drive
Liberty Lake, WA 99019

Re: Liberty View Villas (Estates) Preliminary Plat

Dear Doug:

This letter is an update of prior comments concerning the Liberty View "Villas". I have attached a copy of my prior e-mail to Jerry Storhaug dated February 28, 2007; these comments still apply and must be addressed by the Sponsor before the feasibility of this preliminary plat can be evaluated.

In addition, I have the following comments on the latest proposed preliminary plat, which is dated 5/02/07 by Storhaug Engineering:

1. Due to the difficulty of the terrain and the extremely small lot sizes, the Sponsor should demonstrate feasibility for providing driveway access and building sites on each lot.
2. My notes from our prior plat pre-application conference on March 6, 2007 reflects that the following issues were to be addressed:
 - a. A secondary access for fire/emergency vehicles was required. Has the Sponsor provided evidence that this secondary access has been secured?
 - b. A school bus staging area was requested at the bottom of Liberty View Lane. The configuration of this bus area should be coordinated with the School District.
 - c. Pedestrian connectivity must be provided to connect to the trail system at Settler Drive. We recommend a 10-foot asphalt multi-use path separated from Liberty Lake Road, along the project frontage between the proposed Liberty View Lane and Settler Drive. Additional right-of-way may be required to accommodate this pathway.
 - d. A pedestrian crossing, signed and striped per MUTCD, will be required across Liberty Lake Road aligned with the north sidewalk on Settler Drive.

P:\W21\21021\GHNENGR07\LIBERTY VIEW VILLAS\DS0626 PRELIM PLAT.DOC

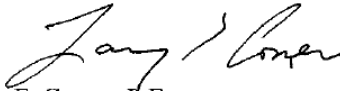
E-mail: lcomer@welchcomer.com

Mr. Doug Smith
June 26, 2007
Page 2 of 2

- e. The Sponsor should be required to evaluate and improve, if necessary, drainage facilities for Liberty Lake Road along the project frontage.
3. I recommend the City require the Sponsor provide a traffic study to evaluate the requirement for and preliminary design of a turn lane into the project on Liberty Lake Road.

Please contact me if you or the Sponsor has any questions.

Sincerely,
Welch Comer & Associates, Inc.



Larry E. Comer, P.E.
Liberty Lake City Engineer

LEC/aj

Enclosure: E-mail to Jerry Storhaug dated February 28, 2007

cc: Amanda Tainio
Jerry Storhaug, P.E.

Comer, Larry

From: Comer, Larry
Sent: Wednesday, February 28, 2007 2:14 PM
To: Jerry Storhaug (jerry@storhaug.com)
Cc: atainio@libertylakewa.gov; dsmith@libertylakewa.gov; John Konen (john@storhaug.com); Chad Heimbigner (chad@storhaug.com)
Subject: City of Liberty Lake; Liberty View Villas

Jerry, On behalf of the City of Liberty Lake, I have reviewed the revised Preliminary Plat of the Liberty View Villas dated 2/20/07. I will be attending the Pre-Application Conference on March 6th, on behalf of the City of Liberty Lake. In order to comment on the feasibility of the proposed preliminary plat, I am requesting that you provide the city with the following information prior to the March 6th meeting:

1. Please provide the preliminary roadway profile for Liberty View Lane, including the cul de sac elevation, as well as showing the landing and queue storage for 49 lots on Liberty View Lane, at Liberty Lake Road.
2. Show the location, preliminary size, and method of stormwater management for the project.
3. The items submitted above should be stamped and signed by a professional engineer.
4. Be certain that the preliminary plat includes all of the required elements referenced in Liberty Lake Development Code Section 10-4D-4.

As this project is in a difficult area with respect to terrain, it will be important to demonstrate the project feasibility before proceeding past the preliminary plat stage.

Please call if if you have any questions.

Larry E. Comer, P.E.
Liberty Lake City Engineer
Welch Comer & Associates, Inc.
1626 Lincoln Way
Coeur d'Alene, ID 83814
(208) 664-9382P 208-664-5946F
email: lcomer@welchcomer.com

6/25/2007

From: Freier, Rick [FreierR2@SpokaneValleyFire.com]

Sent: Tuesday, July 03, 2007 2:31 PM

To: Amanda Tainio

Subject: Liberty View Villas.
Amanda,

I have looked at the plan and it is good as long as the second way off the hill is provided. I need to know if there are gates proposed. On the future set of plans I need to see the turning radius for the secondary access and for the private driveways. The private driveway that goes to Lot 1 must have a fire department turnaround.

We will need to see a water plan and please make sure that the street names are unique. High View LN is used within the Fire District.

Rick Freier

Fire Inspector
Spokane Valley Fire Department
509-892-4128

ATTACHMENT I
PUBLIC COMMENTS



FAX COVER SHEET

DATE:

6.12.07

TO:

Steve Peterson / Doug Smith

FROM:

Michael Chesson

FACSIMILE:

509-755-6713

Coversheet plus 1 = 2 pages.

RE:

COMMENTS:

An original:

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☐ Will follow by overnight courier
☐ Will be hand delivered

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A DEVELOPMENT COMPANY

June 12, 2007

Mr. Steve Peterson, Mayor
Mr. Doug Smith, Planning Director
City of Liberty Lake
22710 E. Country Vista Drive
Liberty Lake, Washington 99019

Re: Liberty View Villas

Dear Mayor Peterson and Mr. Smith:

As you know, Black Rock Development is very much in support of development in Liberty Lake and also of the above referenced project. However, we do have some concerns we would like to share with you regarding this project as it is currently proposed.

1. It is our opinion that the design is poorly planned in that it is too dense; the lots are too small; and, this is a very visible site; and lower end housing is not appropriate on a site with this topography.
2. Access from Liberty Lake Road was not allowed for the Legacy Ridge development due to the traffic and public safety; and, we question it in this case as well.
3. Considering that this proposed development is adjacent to Legacy Ridge, we would recommend a better planned transition in the design to enhance the overall aesthetics of Liberty Lake. Putting low end housing immediately next to high end housing is just not an appropriate master plan.

We would be more than happy to meet with anyone with regard to this application if you see a benefit in doing so.

We appreciate your consideration.

Regards,

Marshall R. Chesrown, CEO

MRC:nen

cc: Roger Nelson, President

P.O. Box 3070, Coeur d'Alene, ID 83816
Phone 208 665 2005 - Fax 208 667 5071
Toll Free 866 239 6750 - www.blackrockdevelopment.com

June 18, 2007

Amanda Tainio
Senior Planner, City of Liberty Lake
Planning and Community Development Dept.
22710 E. Country Vista Blvd.
Liberty Lake, WA. 99019

Dear Ms. Tainio:

Re: Proposal File P- 07-0001, Liberty View Villas, a subdivision to create 49 single family lots in the R-1 zone, 2 open space tracts in the O zone and 2 tracts for the private street system serving the project.

This is to appeal for a denial of the proposal, based on the following information:

- 1) The Soil Conservation Service soil categories mapped on the site include very rocky complex (StC) and (StE) and Spokane extremely rocky Complex (SuE). These are shallow silt loam soils over granite rock outcrops. "Clearing, grading and construction on the site will create the potential for erosion."
- 2) In the 1980's Spokane County declared the area "rural conservative" and afforded it protection in its Critical Areas Ordinance. This proposal will forever remove it as a wildlife corridor, with walking trails, suitable for habitat study, bird watching and picnicing.
- 3) The owner has stated (Liberty Lake Splash 3-15-07) "The fact of the matter that's unfortunate is that we would have to clear cut the area to make it work." Removal of rocky outcroppings by blasting would further eliminate the stability of the hillside, increasing the risk for erosion. The developer has stated, "You won't like what I'm about to say, but this is going to look like a war zone."
Mr. Main is willing to consider alternatives: to sell the property, trade it for land elsewhere, and has agreed to have the property nominated for Conservation Futures.
- 4) As a resident of Clearwater Lane, I recall only too well the blasting and hurling of rocks down the hill when Legacy Ridge was being excavated, and the prospect of a closer encounter with hurling rocks and debris is a frightening and ominous prospect. Therefore I would urge the denial of the proposal as unsafe for people and the environment.

Respectfully submitted,

Margaret Keeve
Margaret Keeve

22821 E. Clearwater Lane
Liberty Lake, WA. 99019

Received By
City of Liberty Lake

JUN 18 2007

City Clerk/Treasurer
Initials BB

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 5:33 PM
To: Amanda Tainio
Subject: FW: Main/Rudeen development

-----Original Message-----

From: Chris & Stefanie [mailto:sunshiners@ccser.com]
Sent: Saturday, June 16, 2007 4:15 PM
To: dsmith@libertylakewa.gov
Subject: Main/Rudeen development

Doug,
This has to be a sick joke! The community, the planning commissioners, and yourself thought that to go ahead with a 24 home development on this hillside would NOT be prudent...the schools, the infrastructure, the voice of the ENTIRE community (not just the noisy ones south of Sprague). Now, you're considering 49? What on earth are you thinking? No one and I mean NO ONE is for this except you and the developers. Please rethink this and scrap it from the table. There are bigger and better ways to achieve tax revenue and this is NOT a good plan. You have to live here too.
Thank you for your time and smart consideration.
Chris and Stefanie Wilcox

6/19/2007

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 10:12 AM
To: Amanda Tainio
Subject: FW: Main/Rudeen Development

-----Original Message-----

From: Debra Webb [mailto:debrawebbstewart@hotmail.com]
Sent: Monday, June 18, 2007 5:00 PM
To: dsmith@libertylakewa.gov
Subject: Main/Rudeen Development

Dear Mr. Smith,

I am writing in regard to the proposed development by Brian Main on the hillside on Liberty Lake Road and Settler. I am sure I am joining a large group of people expressing their dismay over this proposal. I think it's a crazy idea to cram 49 houses up there on that steep hillside with the only access to it being from Liberty Lake Drive. I think it will create an unsafe intersection. I also think it is foolish to build houses there when there is no room in the elementary school for those children. I hate to see the wildlife that lives there forced off. And I also hate to lose the natural beauty of that area to street lights, houses, and cars. Maybe none of those reasons are legitimate for denial of the proposal. But I'm sure there is a reason out there that is, so figure it out. I doubt anyone in Liberty Lake, except for maybe the developer if he's from here, wants those houses built. I greatly appreciate the Growth Management Act which guarantees the people a voice in these matters. Please listen to us. I understand there's a grant proposal in the works which would provide funds to buy the property and turn it into a green space. If that goes through, everyone wins. Please work to make sure that is the outcome of this situation. Sincerely, Debra Stewart 1604 S Lilac Lane

PC Magazine's 2007 editors' choice for best Web mail-award-winning Windows Live Hotmail. http://imagine-windowslive.com/hotmail/?locale=en-us&ocid=TXT_TAGHM_migration_HM_mini_pcmag_0507

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 11:50 AM
To: Amanda Tainio
Subject: FW: Written comments re: Main/Rudeen Development



MainRudeen
elopment.doc (

-----Original Message-----

From: Alison Ashlock [mailto:alisonashlock@hotmail.com]
Sent: Sunday, June 17, 2007 10:17 PM
To: dsmith@libertylakewa.gov
Subject: Written comments re: Main/Rudeen Development

Dear Mr. Smith:
Please consider the attached our written comments on the Main/Rudeen development. Thank you for your time and consideration. -Nata and Alison

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Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 11:58 AM
To: Amanda Tainio
Subject: FW: Main/Rudeen

-----Original Message-----

From: Tom Agnew [mailto:Tom@AgnewConsulting.com]
Sent: Saturday, June 16, 2007 8:49 AM
To: Doug Smith; Patrick Jenkins; David Crump; Joanna Klegin; Dennis Paul; Wendy Van Orman; Brian Sayrs; Judith Owens
Subject: Main/Rudeen

June 16, 2007

Dear City Council and Staff,

For those of us who sat on the original study committee for formation of a city, one thing was perfectly clear. Citizens created the City of Liberty Lake because they wanted local control needed for sustainable managed growth that preserved open space/natural corridors and provided community parks/playfields. The proposed Main/Rudeen development is a great opportunity for the City to respond favorably to this heritage by saving this small but extraordinary piece of the City's natural setting.

This development would eliminate a critical natural open space corridor that also occupies a steep, unstable drainage that is a portion of the few undisturbed watershed areas in this vicinity. The environmental risks combined with the aesthetic loss of developing this, one of the most beautiful undeveloped pieces of property within the City, are immeasurable. As we know, the original proposed development acknowledged the terrain and location should not accommodate even half the current density proposed. Nonetheless, due to a fluke in the City's application of zoning and GMA, the area actually requires more density. Surely the City that was created to manage growth and preserve open space can fix this Kafka like predicament that now faces us all.

This is an excellent opportunity for the City to demonstrate that it truly values its critical natural areas. The City can demonstrate that yes there are indeed some areas within City boundaries that are not suited for urban development and will best serve our community and the natural environment, for generations to come, as natural, beautiful, open space. After all, if the City can afford more than a million dollars to purchase an existing golf course, over \$10 million to build a new city hall, and public tax subsidies for developers, surely we can find the resources and the resolve to preserve this piece of our natural heritage.

Please enter the above comments in the public record for this project.

Thank you.

Sincerely,

Tom & Steph Agnew
1220 S. Starr
Liberty Lake, WA 99019

6/19/2007

509-255-6686 (voice/fax)

6/19/2007

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 11:58 AM
To: Amanda Tainio
Subject: FW: Main/Rudeen development

-----Original Message-----

From: HELEN [mailto:helen_s7@webband.com]
Sent: Sunday, June 17, 2007 12:24 PM
To: dsmith@libertylakewa.gov
Subject: Main/Rudeen development

Dear Mr. Smith,
Please be aware that we are strongly opposed to the Main/ Rudeen Development proposed in west Liberty Lake, directly below Legacy Ridge.
Please note the name of their development "Flophouse" gives the indication of the quality of their work.
There are eagles living there as well as other numerous kinds of wild life. This wooded area needs to be preserved for them to continue to exist.
The exiting of the some 200 people on to Liberty Lake Rd. at the existing angle seems dangerous. Where will the school children catch the bus?
Please consider these questions.
James and Helen Swan 22818 E Clearwater Ln Liberty Lake WA 99019

6/19/2007

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 11:58 AM
To: Amanda Tainio
Subject: FW: Main/Rudeen development

-----Original Message-----

From: DeanOakes [mailto:deanoakes@ccser.com]
Sent: Sunday, June 17, 2007 4:36 PM
To: dsmith@libertylakewa.gov
Subject: re: Main/Rudeen development

Dear Mr. Smith,

Under our rights guaranteed by the The Growth Management Act, we would like to have our opinions documented on the upcoming Main/Rudeen development for your upcoming hearings and any resulting litigation resulting from this situation.

The hillside area proposed for development is environmentally sensitive and unsuited for 24 new units, much less 49. We have seen wanton destruction of wildlife habitat and erosion damage from development in this area. We are woefully short of water and sewage capacity to protect our aquifer for existing residents, a major concern. Longtime residents have to send their children to schools out of the area due to overcrowding now. The zoning decisions allowed by the City of Liberty Lake so far have had little if any consideration for the future of the quality of life in this area. We believe increased density will be destructive if not adequately considered in all areas, not the least being legal and future liability responsibilities incurred by the persons representing the City of Liberty Lake in making these decisions.

Thank you,

Dean & Darlene Oakes
1528 S. Lilac Lane
Liberty Lake, Wa 99019

6/19/2007

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 11:42 AM
To: Amanda Tainio
Subject: FW: ReMain/Rudeen development

-----Original Message-----

From: Pat [mailto:lacamoola2@sisna.com]
Sent: Sunday, June 17, 2007 8:16 PM
To: dsmith@LibertyLakewa.gov
Subject: ReMain/Rudeen development

Mr. Doug Smith, I am again writing to you to protest, the increase in the amount of houses you are planning to put on this property. The people of the community of Liberty Lake are appauled at the decision you made in October 2006. There are many issues concerning this property, one of them being the steepiness of the hill. One being only one egress at this property. And now with the increase in houses, very little "green space". I spend many hours in and around Liberty Lake, riding my horse, and see how the wildlife are being pushed more and more by the increase in development. For these reasons I am opposed to this development.

Pat Richardson
509-922-7331

6/19/2007

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 11:56 AM
To: Amanda Tainio
Subject: FW: Comprehensive Plan Must Not Be Ignored

-----Original Message-----

From: Tom Markson [mailto:tommarkson@yahoo.com]
Sent: Sunday, June 17, 2007 9:08 PM
To: dsmith@libertylakewa.gov
Subject: Comprehensive Plan Must Not Be Ignored

Attn: Doug Smith,

The Guest Opinion column page B 9 in the Sunday Spokesman Review June 17, 2007 by Kitty Klitzke, Eastern Washington Coordinator of Futurewise, entitled Comprehensive Plan Must Not Be Ignored, outlines precisely the reasons why the expansion of the Growth Management boundary South of Sprauge should be denied.

The first application of 24 homes was met with a no from the residents affected, why should the increase to 49 units make it any difference than no no.

I submit this in support of the Real Liberty Lake Green Space Committee.

Tom Markson
603 Shorelone Dr
Liberty Lake, Wa. 99010
255 6804
953 8473

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6/19/2007

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 11:46 AM
To: Amanda Tainio
Subject: FW: Main/Rudeen development

-----Original Message-----

From: Karen Johnson [mailto:garyj@ccser.com]
Sent: Monday, June 18, 2007 8:46 AM
To: dsmith@libertylakewa.gov
Subject: Main/Rudeen development

Mr. Smith,

What happened to the 24 houses planned for the Main/Rudeen hillside development along Liberty Lake Road? I've heard a rumor that this number has doubled. I've kept quiet for so long, but if this is true, it appears to be another back door attempt to slip the desire of those in power past those of us who trusted what we were originally told. It's so hard to understand the city's expansion record when everywhere I go, I usually hear people disapprove of your decisions. PLEASE listen to the voices of ALL the people. Please do not allow for even greater impact against our precious greenspace. Liberty Lake has been the paradise it's known for because of the quiet beauty that overzealous expansion threatens. Since a large portion of the population here would like to see NOTHING further built along that road, don't let greed overwhelm wisdom. Greenspace is irreplaceable.

Karen Johnson, 50+ year resident

6/19/2007

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 11:41 AM
To: Amanda Tainio
Subject: FW: MAIN/RUDEEN DEVELOPMENT

Importance: High

-----Original Message-----

From: Paul Johnson [mailto:pjj@ccser.com]
Sent: Monday, June 18, 2007 9:50 AM
To: dsmith@libertylakewa.gov
Subject: MAIN/RUDEEN DEVELOPMENT
Importance: High

Doug, I've been lucky enough to enjoy Liberty Lake for 56 years. Now that I can take time to look up I've seen many great changes, however I never would or could imagine the corridor being changed .It is so beautiful, fragile and unchanged. when you drive thru it its like the first time. you see orioles, blue jays, porcupines ,deer, apple,wild flowers, no one that looks up doesn't unwind on there way home. Is it really for the comment good of the people to build there???? Just because Main bought it doesn't mean he has to build. So what if he takes a loss, all of US will take a loss if he builds. We have crowded schools,way to busy streets,and have you noticed lots of homes not selling over 350000 WHY ??? the average income in Spokane is so low. with gas prices and lack of jobs there are more foreclosures every day. My auto sales business is off by 40% , bad or low credit is the biggest problem, lots of credit card debt. WHY no cash ... No to 49 homes I have 4 homes in my neighbor hood for sale and not selling. one has been for sale for over a year. THIS PROJECT IS NOT FOR THE GOOD OF THE PEOPLE ... IT WILL BE DISASTER OF THE MAIN/RUDEEN GROUP. PLEASE....DOUG . BE THE..PLANNING DIRECTOR WE ALL HOPED YOU WOULD BE MAKE US PROUD.... Jennifer Johnson Jennifer's Auto Sales and life time resident of Liberty Lake AND MOST OF ALL A VOICE FOR SAVING OUR HISTORIC CORRIDOR jjj 1417 s lilac lane 255-9665

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 10:10 AM
To: Amanda Tainio
Subject: FW: Main Rudeen/Liberty Lake Villas proposal

-----Original Message-----

From: shawn chalich [mailto:schalich@hotmail.com]
Sent: Monday, June 18, 2007 10:01 PM
To: dsmith@libertylakewa.gov
Subject: Main Rudeen/Liberty Lake Villas proposal
Re: Rudeen/Main Liberty Lake Villas development

To Whom it May Concern:

This e-mail is in opposition to the proposed above-mentioned development. It is out of character with the surrounding area: woodland, with steep, clifflike, rocky outcroppings ideal for birds and wildlife. Although the adjacent area of Holiday Hills (Legacy Ridge) is in the process of being developed, this should not justify more dense development on what was previously completely undeveloped mountain and woodland. To "leapfrog" urban growth areas in this manner, complying with the letter of the UGA, violates it's spirit and the intent behind it's enactment. It was to prevent sprawl over beautiful wooded/hilly areas, such as the Rudeen development, that the UGA was enacted. There is also a lack of sufficient infrastructure to accomodate more development in this area. Liberty Lake Elementary is busing children from the area out of district due to overcrowding and Central Valley high school is also overpopulated. This should be addressed first. The City of Liberty Lake seems to have a philosophy of develop first and accomodate infrastructure issues later, the overcrowding of our schools and overburden roads, such as Liberty Lake Road/Liberty Drive are the result. For too long the City of Liberty Lake has listened to the special interests of developers and destroyed the very reason Liberty Lake is special. The Rudeen development should be rejected. When the City of Liberty Lake was formed, we hoped it would be in the model of Lake Oswego, Oregon; the cities of north Marin County, California, etc., where development would be controlled and where primarily high-end, aesthetically pleasing, publicly beneficial development would be allowed. Instead, big box stores and sprawling subdivisions have resulted, leading one to question why the city was formed in the first place. To easier accomodate developers? This surely seems to be the case. Please reject this proposed development. Sincerely, Shawn Chalich

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Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 10:08 AM
To: Carol Markson
Cc: Amanda Tainio
Subject: RE: Comments on the Main/Rudeen Development

Hello Carol,

Thank you for your comments they will be added to the public record.

Regards, Doug

-----Original Message-----

From: Carol Markson [mailto:kaisagirl@msn.com]
Sent: Tuesday, June 19, 2007 7:41 AM
To: dsmith@libertylakewa.gov
Subject: Comments on the Main/Rudeen Development

"Comprehensive Plan must not be ignored" Kitty Klitzke's Guest Opinion column in Sunday, June 17th Spokesman-Review says it all. I quote "The bottom line is that our elected officials cannot disregard the law, and they should not disregard the will of the people." We, the people, strongly opposed the previous petition for 24 homes - 49 homes is totally unacceptable. Please hear our voices - we said no before and you heard us - Please vote no and work towards responsible growth within the States Growth Management Act and the comprehensive plan laid out by the Spokane Country Commissioners after all, this is "our" backyard.

Thank you,

Carol Markson
802 S. Liberty Drive
Liberty Lake, WA 99019
509 255-1129
Member of Liberty Lake Green Space Committee

City of Liberty Lake
Mr. Doug Smith
Director, Planning Department

1525 S. Lilac Lane
Liberty Lake, WA 99019

RE: Main/Rudeen Development

June 17, 2007

Received By
City of Liberty Lake

JUN 19 2007

City Clerk/Treasurer
Initials RG

Dear Mr. Smith:

Please consider this letter part of the official written comments regarding the Main/Rudeen Development.

I am again puzzled at the process the Planning Department is going through to approve development in the City. In the 1980's the land for this development was considered a critical area. It included, among other things, natural rock outcroppings, erodible soils, a wildlife corridor, high aquifer susceptibility and protected open spaces.

When the City incorporated, it adopted the critical areas that were in existence at the time and the area being considered for the Main/Rudeen development was within the Critical Areas Ordinance.

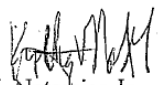
Furthermore, this area is the gateway to the residential area of the City. It is the front door to the heart of the City. I think most citizens were and are grateful that the City's Planning Department was thoughtfully protecting critical areas and thoughtfully planning the development and growth of the City. I have even seen maps that mark off wildlife corridors and protected open space areas on the Main/Rudeen development site.

I am now thoroughly perplexed as to how this area went from being a protected, critical area and one of the gateways to the City of Liberty Lake, to being a massive hillside development with nearly fifty houses.

Please consider my comments an official questioning of the processes you have undergone to change the restrictions on this land from a critical protected area to one suitable for development. I would like to know the processes and decisions that were made to do away with the protections on this area.

I would also urge the City to continue the work you're doing to thoughtfully plan out the City. Plan for open spaces and protected areas. Plan for places to preserve views and vistas. Plan for places to put parks and green space. Plan for places to allow wildlife to flourish. Balance development with quality of life. Only then will this unique City remain a special place that is better managed than surrounding areas. Only then will the citizens of Liberty Lake truly be served by their elected officials.

Sincerely,


Kottayam V. Natarajan Jr.


Alison Ashlock

Received By
City of Liberty Lake

JUN 19 2007

City Clerk/Treasurer
Initials SA

June 18, 2007

City of Liberty Lake
Amanda Tainio, Associate Planner
Planning & Community Development Department
22710 E. Country Vista Blvd.
Liberty Lake WA 99019

Dear Ms. Tainio:

We are writing to voice our objections, again, to the proposed Liberty View Villas. As residents of Liberty Lake and specifically, Settler Drive, we are very concerned about the impact this development will have on the surrounding environment, on our homes and on the safety of those traveling Liberty Lake Road.

In a prior letter, we wrote about the impact of the increased traffic (increased now to 500 trips per day) on the already overused Liberty Lake Road. In addition to the noise pollution, what about the safety of all using that arterial? How will the vehicles enter and leave the new addition without causing dangerous congestion?

The green space still has not been addressed. Have the appropriate wildlife departments been notified this time around, to get a fair and unbiased study....not just a study funded by the developer.

We also have great concern about the excessive excavation that will be required to build this development. In reviewing the geologic maps, it is evident the "extremely rocky complex" will necessitate blasting. The land where this excavation would take place is just across the road from us. What potential damage will this blasting do to our homes and who will pay for the repairs?

The few changes that have been made to the original proposal don't make this new addition any more acceptable than it was.

We look forward to the opportunity to voice our opinions at the public hearing.

Respectfully,



Chris Ouellette
22805 E. Settler Drive

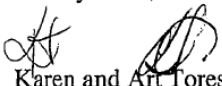


Bob Ouellette
22805 E. Settler Drive



Susan Meyer
22801 E. Settler Drive

To: Liberty Lake City Council
Mayor Steve Peterson ✓
Doug Smith
Liberty Lake Planning Dept.
27710 E. Country Vista Dr.
Liberty Lake, Washington 99010

From: 
Karen and Art Toreson
1513 Lilac Lane
Liberty Lake, Washington 99019

Re: Denial of Liberty View Villas Application

Date: June 18, 2007

As concerned citizens of the Community of Liberty Lake we are asking that you deny the application of the Liberty View Villa/Brian Main property. We want to preserve the green space and critical corridor along Liberty Lake Road.

*This 23-acre parcel at the southern end of the Urban Growth Boundary represents the only natural open space within the developed City of Liberty Lake.

*The area serves as a wildlife habitat for a wide variety of birds and animals. Orioles, grosbeaks, warbling vireos, bald eagles, phoebe, quail, badgers, deer, porcupine, rabbits, owls, skunks and turkeys call it home.

*There are stormwater issues that would significantly affect the watershed.

*This parcel is on the county's Critical Areas map. The county's Critical Areas Ordinance, initially adopted by the City of Liberty Lake, protects erodible soil, steep grades, native vegetation and geological formations.

*This piece of property is pivotal. Once it is blasted, clear cut and developed the value and beauty of the historical corridor would be destroyed forever. GONE IS GONE.

Thank you for all the work you do for our community. Thank you for your consideration

Received By
City of Liberty Lake

JUN 19 2007

City Clerk/Treasurer
initials BA

City of Liberty Lake
Doug Smith
Director, Planning Department

932 S. Windsong Dr.
Liberty Lake, WA 99019

Received By
City of Liberty Lake

JUN 19 2007

City Clerk/Treasurer
Initials B.A.

Dear Mr. Smith:

I am writing to you in regard to the Main/Rudeen development. I am not against growth as long as it is planned appropriately. I feel the Main/Rudeen development is just another densely packed housing development consuming up what is left of our natural green space. I think that the city should have a vision. This vision should include infrastructure for the City of Liberty Lake including natural spaces, parks, schools and roads. By providing these things, the city would be a more attractive place to live with a better quality of life.

I moved back to Liberty Lake for its environment. I cherish the landscape and wildlife as well as the amenities the city has brought. There is plenty of room for everyone but development and growth needs to be managed thoughtfully.

Sincerely,



Kara Ames

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 11:22 AM
To: Amanda Tainio
Subject: FW: Main/Rudeen development

-----Original Message-----

From: Gary Wraspir [mailto:wraspircpa@gmail.com]
Sent: Tuesday, June 19, 2007 10:48 AM
To: dsmith@libertylakewa.gov
Subject: Main/Rudeen development

This email once again voices are concern and opposition to the above development of the property West of Liberty Lake Rd and Settler Dr. We originally wrote a letter on August 28, 2006 and also attended the October 4, 2006 public hearing and to date still strongly oppose this development for the reasons stated in our original letter and no additional information from the hearing or the various reports prove to us that this is a good or reasonable plan for this prestine property that so makes Liberty Lake a place of beauty. It has been two years since the first phase of Legacy Ridge was developed and with the addition of some beautiful homes the destroyed landscape above the Trailhead Golf Course still has no beauty as predicted by the developers, just weeds and no personality whatsoever and I do recall the statement from them months ago "give us a chance and this area will be more beautiful than it ever was before". We are still waiting for that!! Please DO NOT destroy this land for the few who have many other options in the area to build their new home. Thank you

Mr and Mrs. Gary Wraspir
215 N. Kelsea Ct
Liberty Lake

608 S Shoreline Dr.
Liberty Lake, Wa 99019
June 18, 2007

Doug Smith - Planning Dir.
Liberty Lake City Hall
Liberty Lake, Wa 99019

Dear Mr Smith:

Evidently you have ignored our critical open space concerns because now you want to double the amount of houses planned. I was very disappointed and disheartened to discover you want to go ahead with the Main / Rudeen development.

For those of us who live south of the development - single lane, Liberty Lake Rd is our only access in case of any emergency fire - health etc. Ice and snow remain real problems during our winters.

How many houses can this hill hold before we have real problems? It doesn't seem like safety is your concern - only growth. I certainly hope the hearing examiner will consider our concerns.

Yours Truly,
Betty M. Glynn

Received By
City of Liberty Lake

JUN 19 2007

City Clerk/Treasurer
Initials BA

Amanda Tainio

From: Carlson, Sharon [Carlson@coffman.com]
Sent: Tuesday, June 19, 2007 3:26 PM
To: dsmith@libertylakewa.gov
Cc: sharoncarlsonpe@msn.com; atainio@libertylakewa.gov
Subject: Letter Re: Main/Rudeen Development

Hi Doug,

Attached is a letter regarding the proposed development along Liberty Lake Road. Please let me know that you have received this email. Thanks.

Sharon Carlson

6/19/2007

June 19, 2007

Doug Smith
Planning Director
City of Liberty Lake Planning and Community Development
22710 E. Country Vista Drive
Liberty Lake, WA 99019

Subject: Main/Rudeen Development

Dear Doug:

According to the city map, a portion of the land proposed for this development is zoned "O" for Open Space/Recreation. The rest of it is zoned "R1" which is appropriate for a housing development. The open space needs to be preserved and I am not in favor of a zone change that will allow more homes to be constructed on this property than what it is already currently zoned for.

I have many valid reasons for not supporting a zone change to allow the development to proceed as planned. Our streets and schools can not handle the additional amount of people and traffic this development will generate.

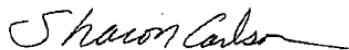
Has there been a traffic study done on Liberty Lake Drive to assess the impact this development will have on it? The roads are there but are they up to the level of service standards for the City of Liberty Lake? If the proposed developments are complying with the regulations that are currently in place, are they going to pay for improvements that need to be made to the roadways that they will be merging with? Of course they will have to pay for the new roads within their development, but these will connect to our existing infrastructure.

Although the city does not legally need to grow concurrently with the school district, your comprehensive plan states that you want to "serve" your community (including the schools). Knowing the school district is struggling with capacity issues on the east side of the district (Liberty Lake), wouldn't you use this as a gauge for the amount of development our community can handle at the present time? Please serve your community by understanding and considering the impacts being placed on the schools by developments such as this.

What about collecting impact fees to help pay for construction of new schools and roads. The City Council has voted in favor of collecting them for the school district, but still has not done so.

In summary, I oppose any request to re-zone plots of land that will increase the residential density that are within the Liberty Lake watershed. Developers need to not only provide roads, parks and green spaces within their project areas, but also need to pay for and provide upgrades and/or redesigned intersections to our existing roads that will be affected by their developments. In my opinion, no further developments shall be approved until the school district can adequately house (in our neighborhoods) the students that currently reside in our community.

Respectfully Submitted,



Sharon Carlson
1022 S. Liberty Drive
Liberty Lake, WA 99019
(509) 255-5156

Amanda Tainio

From: Sheila Bell [gamehen@ccser.com]
Sent: Tuesday, June 19, 2007 3:58 PM
To: Amanda Tainio
Subject: Proposal File P-07-0001, Liberty View Villas

Amanda Tainio
Senior Planner

Dear Amanda,

I have a few important concerns dealing with the above:

1) The access and egress on Liberty Drive. There are already too many cars needing to drive on this road. I worry about adding cars, more fire engine/paramedic/ police car and school bus runs on this street that has few other traffic alternatives. For example, when we lived off Carnahan in Spokand County, there were only so many roads allowed to be built because it was a mann road for the above vehicles mentioned and also many deer were kiled there. People who owned land in the area had to figure a different way to have caes exit their area or not build.

2) The plan given to you mentions nothing about blasting. Does that mean the rock next to the road will main in tact for the open space talked about in the document. The words say this however the map doesn't show it. NO MORE BLASTING we've had enough.

3) Does Liberty Lake Water and Sewer need to provide a reservior? Why? This is not acceptable to me.

4)The road into the proposed project is unclear to me. I also want as few trees cut down as possible should the project go through.

Sheila Bell
N.1017 Tanglewood Lane
Liberty Lake

6/19/2007

TO: Doug Smith, Director
Planning & Community Development
City of Liberty Lake

Received By
City of Liberty Lake

JUN 19 2007

FROM: Keva Monson
P.O. Box 116
Liberty Lake WA 99019

City Clerk/Treasurer
Initials BA

RE: Liberty Lake Villas aka Main/Rudeen Development

Once again, I would like to make a pitch on why, on our watch, this coveted piece of property needs to be preserved.

I know the current permitting process is all about city rules, regs, and rights of the property owner. But, surely, somewhere in the agenda of happenings, the city can weigh its words, step up, and follow through on its stated initial vision.

For instance, on page nine, your 2003 Comprehensive Plan reads, "The protection and enhancement of the city's views is critical to promoting a quality image of the City of Liberty Lake. An essential part of this effort is the identification of important areas of significant natural scenic value and setting standards to preserve these resources." You designated this property 'open space' more than two years ago. I've attached comments four of us sent you applauding that decision. What changed?

Between now and the hearing-examiner date, I plan to find out more about:

1. a water storage/reservoir that must be provided by the developer for residential use and fire flow. The Liberty Lake Sewer & Water District says it must be at an appropriate elevation. Where's the 'natural scenic value' of a reservoir vs a presently pristine hillside?
2. the grosbeak bird population, with nests in that area, whose population in our state is down 97% partly because of loss of forest habitat, and
3. the cultural significance of the property. It's part of the area inhabited since time immemorial by the Coeur d'Alene Tribe. This particular acreage is at the bend in the road travellers took to reach encampments, fishing spots and tribal rituals. Last year, an elder of the tribe remembered pony trails at this spot going up and over the hill to Saltese Lake.

There are many reasons to preserve this particular piece of land. Please do the right thing, step up, find a way to keep it open space.

attachments: 2



We applaud inclusion of both sides of Liberty Lake Road in the city's "open space" designation. That particular, beloved corridor reminds us daily, coming and going, of the pristine beauty inherent in our community. The ecosystems unique to the community have taken eons to evolve. Preservation is preferable to restoration.

As you develop other areas in the Liberty Lake community, please consider saving edges and corridors to protect and preserve the natural setting. This would offer a chance for survival of native plants, the bug, bee, bird and insect sanctuaries that propagate them and the stability of migratory patterns.

Retained edges and corridors of natural habitat will preserve the unique beauty of our community.

Linda Ashlock, Beth Cocchiarella, Keva Monson, Karen Toreson

Received By
City of Liberty Lake

JUN 19 2007

City Clerk/Treasurer
Initials BA



Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 5:17 PM
To: Amanda Tainio
Subject: FW: Main/rudeen development

-----Original Message-----

From: Arlene D Thomas [mailto:rathomas7@juno.com]
Sent: Tuesday, June 19, 2007 5:44 PM
To: dsmith@libertylakewa.gov
Subject: Main/rudeen development

Mr. Smith,

We wish to protest the plan to build houses on the hillside along Libertylake road and Settler. The traffic is bad enough coming out of Settler, plus the weeds along the roadside that arn't cut back, cutting down visability. We were the first to live on Settler 14 yrs. ago. There isn't an empty lot anywhere now. Progress is fine to a certain degree until it starts creating lots of traffic, crowding schools, raising taxes to create jobs with big salaries for people wanting to run things their way. We are expected to have larger Schools and everything ready for these planned houses with our taxes. Please leave the Hillside alone it looks good enough the way it is and isn't bothering anyone. Thank you William and Ariene Thomas 22806 E Settler Dr

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 5:21 PM
To: Amanda Tainio
Subject: FW: Main/Rudeen Development

-----Original Message-----

From: dree31@aol.com [mailto:dree31@aol.com]
Sent: Tuesday, June 19, 2007 2:14 PM
To: dsmith@libertylakewa.gov
Cc: keva@monson.com
Subject: Main/Rudeen Development

Dear Mr. Smith:

One of the true assets of Liberty Lake is its setting nestled between covered hills. The western hill is fast becoming a roof city. There is a portion of it that needs to be retained as green and comforting; the Main/Rudeen property. The fact that the hill will be blasted and bulldozed so that fifty houses can be built will eliminate a section of the original appeal of Liberty Lake's setting. There ought to be a way to avoid the destruction of this comforting green stretch. You, together with Mayor Peterson and the City Council, have responsibility to work with the developers to enhance the beauty of the area. What happens in one part of the fabric of our community affects us all, for good or ill. Please use your position and influence to enhance the livability of our area. Sincerely, Don Reese 1507 Lilac Lane Liberty Lake.

AOL now offers free email to everyone. Find out more about what's free from AOL at AOL.com.

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 19, 2007 5:23 PM
To: Amanda Tainio
Subject: FW: Comments on Liberty View Villas Preliminary Plat

-----Original Message-----

From: Heather Chalich [mailto:chalharp@msn.com]
Sent: Tuesday, June 19, 2007 12:37 PM
To: Doug Smith
Subject: Comments on Liberty View Villas Preliminary Plat

Doug,
Attached are my comments for the Hearing Examiner's file on Liberty View Villas preliminary plat hearing.
Would you please let me know when you receive them.
Thank you,
Heather Chalich

6/19/2007

To: Planning and Community Development Department
Doug Smith, Director
22710 E. Country Vista Dr.
Liberty Lake, WA 99019

From: Heather Chulich, City of Liberty Lake Resident
23305 E. Maxwell Avenue
Liberty Lake, WA 99019

RE: Comments on Liberty View Villas Project

June 16, 2007

Dear Mr. Smith,

Following are my comments opposing the new Preliminary Plat proposed for the Liberty View Villas. I ask that my comments be passed on to the Hearing Examiner.

It is discouraging to be commenting on this project 9 months after the last proposal of 24 homes on the hillside was denied (October, 2006), only now to be facing 49 homes on the hillside.

24 was bad, 49 is outrageous. That is 49 more families with twice that many vehicles being pushed onto Liberty Lake Drive. The road has no shoulders and is extremely dangerous in the winter. Adding more congestion and drivers turning and pull out into traffic on this road is dangerous to the members of this community.

Secondly, this area is a critical corridor for wildlife in the area. Looking at the USGS's National Wetland Inventory, there appears to be several Freshwater Forested / Shrub Wetlands in the proposed development. In addition, the intermittent stream discussed in the first decision is actually shown on the City of Liberty Lake's UGA Boundaries Study Wetlands Map to exist. The source of the data is WA Department of Natural Resources. I hesitate to except the determination of no jurisdictional wetland or streams present from Mr. Dawes when he is a contractor hired by the owners developing the property.

Thirdly, there has been a consistent plea by the community, and now Central Valley School District, to slow our growth so our school system can catch up. 49 families with children can add up to several more classrooms that don't exist.

I attended the hearing last October and listened to testimony from people moved to tears describing their feeling for the hillside that was devastated by the Legacy Ridge Project. Please don't let this happen again. Liberty View Villas Plat should be denied.

I appreciate your time and consideration of my comments,

Heather Chulich

Amanda Tainio

From: Doug Smith [dsmith@libertylakewa.gov]
Sent: Tuesday, June 26, 2007 3:26 PM
To: Amanda Tainio
Subject: FW: Main/Rudeen development



Liberty Lake
ew Estates Obje

-----Original Message-----

From: Sam Kinard [mailto:samkinard@ccser.com]
Sent: Saturday, June 23, 2007 12:43 PM
To: dsmith@libertylakewa.gov
Subject: Main/Rudeen development

I attempted to send this letter on June 19, 2007, but it bounced back to my inbox for some reason. Please add this letter to the Liberty Lake View Estates file. Sam & Sharon Kinard

19 June 2007

Doug Smith, Planning Director:

The Main/Rudeen development, known as the Liberty Lake View Estates, should not be approved at the proposed 49 lot density. This land is inappropriate for urban density development and should be rezoned for open space preservation. The previous proposal for development of 24 lots on this property was inappropriate and any plan for 49 lots is totally without merit.

The steep rock nature of this property, along with its thin soil coverage, makes it a poor candidate for an urban density development. Every property is unique, and while some can easily support urban densities (flat well draining lands), others cannot (steep rocky non-permeable soil lands). Each home roof, driveway, and sidewalk, as well as the roads which service them, displace water which otherwise would have gone into the ground. The more homes in a development, the greater the storm water runoff. In flat areas with good drainage, 208 swales help mitigating the erosive effects of storm water run off, but this property is not flat nor does it have good drainage. Soil erosion and storm water runoff from this development would be much greater if developed into 49 lots versus the previous 24 lot proposal, which was also inappropriate for this property, and will certainly require the mass eradication of the trees and shrubs, that currently maintain the hillside's integrity. Their replacement by retaining walls and grass yards, which tend to be over fertilized and over watered with such close proximity to the lake drainage/aquifer recharge canal, would surely be inimical to the long term water-quality management goals of the region. This new development proposal represents a short-sighted view of resource and land management and should be rejected.

The Liberty Lake View Estates development, combined with the current construction on Legacy Ridge, threatens to disrupt the delicate balance of land uses that ensures the uniqueness of the greater Liberty Lake community. The healthy and resilient ecosystems that lie between the already existing houses lend this area a highly enviable sense of intimacy to nature. . The Main/Rudeen proposal would destroy the ecological and aesthetic function of this property which is not in the best interest of the Liberty Lake community. This property should be rezoned for open space preservation and other more appropriately developable properties should be the ones developed to urban densities instead.

Sam & Sharon Kinard

Gail Barlow Melanson

Gene Melanson

He were not in favor of
this when we attended a
hearing about it. He still
are not in favor of it.

There is over building
in Liberty Lake.

